

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE FIRST SESSION OF THE  
SEVENTY-FIFTH CONGRESS  
OF THE UNITED STATES OF AMERICA

1937

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER  
THAN TREATIES, AND PROCLAMATIONS

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The original of every act and joint resolution printed in this volume has the following heading :

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AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE FIFTH DAY OF JANUARY,  
ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*) ; those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment ; thus, for example, H. R. 1545 or H. J. Res. 81 indicates origin in the House of Representatives ; and S. 416 or S. J. Res. 3 indicates origin in the Senate.

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# **PUBLIC LAWS**

# PUBLIC LAWS

ENACTED DURING THE

## FIRST SESSION OF THE SEVENTY-FIFTH CONGRESS

OF THE

### UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Tuesday, January 5, 1937, and adjourned without day on Saturday, August 21, 1937*

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore*; WILLIAM B. BANKHEAD, Speaker of the House of Representatives; LINDSAY C. WARREN, Speaker of the House of Representatives *pro tempore*, May 24–June 1, 1937.

#### [CHAPTER 1]

#### JOINT RESOLUTION

To prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

January 8, 1937  
[S. J. Res. 3]

[Pub. Res., No. 1]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That during the existence of the state of civil strife now obtaining in Spain it shall, from and after the approval of this Resolution be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to Spain or to any other foreign country for transshipment to Spain or for use of either of the opposing forces in Spain. Arms, ammunition, or implements of war, the exportation of which is prohibited by this Resolution, are those enumerated in the President's Proclamation No. 2163 of April 10, 1936.

Exportation of arms and war implements to Spain; prohibition during present civil strife.

Arms, etc., defined.  
49 Stat. 3503.

Licenses heretofore issued under existing law for the exportation of arms, ammunition, or implements of war to Spain shall, as to all future exportations thereunder, ipso facto be deemed to be cancelled.

Existing licenses.

Whoever in violation of any of the provisions of this Resolution shall export, or attempt to export, or cause to be exported either directly or indirectly, arms, ammunition, or implements of war from the United States or any of its possessions, shall be fined not more than ten thousand dollars or imprisoned not more than five years, or both.

Penalty for violation.

When in the judgment of the President the conditions described in this Resolution have ceased to exist, he shall proclaim such fact, and the provisions hereof shall thereupon cease to apply.

Termination of provisions.

Approved, January 8, 1937, at 12.30 p. m.

## [CHAPTER 2]

## JOINT RESOLUTION

January 14, 1937

[S. J. Res. 17]

[Pub. Res., No. 2]

To provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies.

Inaugural ceremonies, 1937.  
Temporary quartering of troops in public buildings during, authorized.

32 Stat. 152.

40 U. S. C. §§ 19, 31.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized to allocate such space in any public building under his care and supervision as he deems necessary for the purposes of quartering troops participating in the inaugural ceremonies to be held on January 20, 1937, but such use shall not continue after January 22, 1937. Authority granted by this resolution may be exercised notwithstanding the provisions of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1903, approved April 28, 1902, prohibiting the use of public buildings in connection with inaugural ceremonies.

Approved, January 14, 1937.

## [CHAPTER 4]

## JOINT RESOLUTION

January 18, 1937

[H. J. Res. 106]

[Pub. Res., No. 3]

To exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

Inaugural admission tickets.  
Payments for, exempt from admissions tax.

44 Stat. 91.

26 U. S. C. § 940.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the Inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

Approved, January 18, 1937.

## [CHAPTER 5]

## AN ACT

January 23, 1937

[S. 416]

[Public, No. 1]

To extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Gold Reserve Act of 1934, amendments.  
48 Stat. 341.  
31 U. S. C. § 822a.  
Stabilization fund.  
Duration of emergency powers of President concerning, extended.

Fixing weight of gold dollar.

Specified powers defined.

Expiration.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (c) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, is amended to read as follows:

"(c) All the powers conferred by this section shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated."

SEC. 2. The second sentence added to paragraph (b) (2) of section 43, title III, of the Act approved May 12, 1933, by section 12 of said Gold Reserve Act of 1934 is amended to read as follows: "The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended."

Approved, January 23, 1937, 2 p. m.

## [CHAPTER 6]

## AN ACT

To continue the functions of the Reconstruction Finance Corporation, and for other purposes.

January 26, 1937

[S. 415]

[Public, No. 2]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any other provision of law, until the close of business on June 30, 1939, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this Act: *Provided*, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

Reconstruction Finance Corporation.  
Authority to function continued.

Liquidation, etc., postponed.  
47 Stat. 10.  
15 U. S. C. § 613.

*Provided.*  
Temporary suspension of lending authority.

SEC. 2. (a) Section 7 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "April 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 1 of the Act approved March 31, 1936 (Public, Numbered 484, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "February 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 9 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "June 16, 1937" and inserting in lieu thereof "the close of business on June 30, 1939".

Designated agencies continued.  
49 Stat. 4.  
Post, pp. 347, 348.

49 Stat. 1186.

(b) The agencies referred to in the Acts referred to in subdivision (a) of this section, and the RFC Mortgage Company, shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

Incurring obligations after June 30, 1937.  
49 Stat. 1647.

Approved, January 26, 1937.

## [CHAPTER 7]

## AN ACT

To provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

January 29, 1937

[H. R. 1545]

[Public, No. 3]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Governor of the Farm Credit Administration, hereinafter in this Act referred to as the Governor, is hereby authorized to make loans to farmers in the United States (including Hawaii and Puerto Rico), for fallowing, for planting, for cultivation, for production of crops, for harvesting of crops, for supplies incident and necessary to such production or harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such agencies, upon such terms and conditions, and subject to such regulations, as the Governor may prescribe.

Loans to farmers for crop production, etc., during 1937.

Conditions pre-  
scribed.

Applicant unable to  
procure elsewhere.

Security.

Maximum amount.

Provis.  
Distressed emer-  
gency areas.

Interest rate.

Proceeds of loans  
impressed with a  
trust.

Recording, etc., fees.

Fees for releasing  
liens, etc.

Officers and em-  
ployees authorized;  
pay, duties, etc.

5 U. S. C. § 673.

Use of designated  
agencies, facilities, etc.

Other facilities and  
services.

SEC. 2. (a) No loan shall be made under this Act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this Act; and preference shall be given to the applications of farmers whose cash requirements are small.

(b) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production or harvesting, or both, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan, for the purchase or production of feed for livestock, a first lien upon the livestock to be fed.

(c) No loan made under the provisions of this Act to any borrower shall exceed \$400, nor shall a loan be so made in any calendar year which, together with the unpaid principal of prior loans so made to such borrower in that year, shall exceed \$400 in amount: *Provided, however,* That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations, with such maturities, and in such amounts as he may prescribe.

(d) Each loan shall bear interest at the rate of 4 per centum per annum.

SEC. 3. The proceeds of each loan made by the Governor under the provisions of this Act shall be impressed with a trust for the purposes for which loans may be made under this Act, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes.

SEC. 4. (a) Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan.

(b) No fees for releasing liens given to secure loans made pursuant to this Act, nor any other fee not specified herein, shall be paid from the funds herein authorized to be appropriated.

SEC. 5. (a) The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this Act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended.

(b) Such agents, officers, and employees, or any of them, and the agents, officers, employees, and facilities of the Farm Credit Administration available for use in connection with loans made under the provisions of this Act or of prior crop production, seed, and feed loan Acts of the same general character, may be used by the Governor to perform services for any institution operating under the supervision of the Farm Credit Administration, upon such terms and conditions as the Governor may determine; and such institutions are hereby expressly empowered to enter into agreements with the Governor for such purpose.

(c) For the purpose of carrying out the provisions of this Act, and for collecting loans made under other Acts of the same general character, including loans made by the Governor with funds appro-

priated by the Emergency Appropriation Act, fiscal year 1935, or the Emergency Relief Appropriation Act of 1935, the Governor is authorized also to use the facilities and services of any agency or corporation operating under the supervision of the Farm Credit Administration, and of any officer or employee of any such agency or institution, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses, and such agencies and institutions are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes and to perform the services provided for therein.

SEC. 6. (a) Except with the written permission of the Governor or his duly authorized representative, it shall be unlawful for any borrower to willfully use the proceeds of any loan:

(1) For any purpose other than those specified in the application therefor; or

(2) For the purpose of fallowing, or for the planting, production, or harvesting of any crops on, any land other than that described in his application for such loan.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this Act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this Act.

(c) It shall be unlawful for any person to charge or accept a fee for preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this Act.

(d) Any person violating any provision of this section of this Act shall, upon conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment for not more than six months, or both.

SEC. 7. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000,000 for the purpose of enabling the Governor to carry out the provisions of this Act.

(b) The moneys appropriated in pursuance of subsection (a) of this section, any amounts collected for services rendered under section 5 (b), and all collections of principal and interest of loans made under this Act may be used by the Governor for making loans under this Act, and for all necessary administrative expenses incurred in connection with the making and collection of such loans.

(c) Expenditures for printing and binding necessary in carrying out the provisions of this Act may be made without regard to the provisions of section 3709 of the Revised Statutes.

Approved, January 29, 1937.

Payment therefor.

Unlawful acts.

False representation, etc.

Fee for preparing application.

Penalty for violation.

Appropriation authorized.  
Post, p. 11.

Use of designated moneys for loans and expenses.

Printing and binding.  
R. S. § 3709; 41 U. S. C. § 5.

[CHAPTER 8]

JOINT RESOLUTION

To create a joint congressional committee on Government organization.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Government Organization (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of nine Members of the Senate, appointed by the President of the Senate, and nine Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

February 3, 1937  
[H. J. Res. 81]  
[Pub. Res., No. 4]

Joint Committee on Government Organization, establishment.

Composition and appointment.



Duties.

Investigations.

Reports and recommendations.

Hearings.

Subpenas.

Expenses.  
*Post*, p. 9.

Officers, experts, and employees.

5 U. S. C. § 673.

Details from Government offices; compensation.

SEC. 2. It shall be the duty of the joint committee—

(a) To investigate the organization and activities of the departments, independent establishments, bureaus, boards, commissions, divisions, services, offices, and other agencies of the Government, with the view to determining whether, in the interest of simplification, efficiency, or economy, or in order to eliminate conflicting or overlapping activities, any of such organizations or units should be coordinated or consolidated with any other organization or unit, reorganized, or abolished, or the personnel thereof reduced; and

(b) To report, from time to time, to the Senate and the House of Representatives, the results of its investigations together with such recommendations as it deems advisable.

SEC. 3. The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. Officers and employees of the Government shall be detailed to the service of the joint committee, on its request, without additional compensation, and such officers and employees shall be paid from the appropriations regularly available for their salaries.

Approved, February 3, 1937.

## [CHAPTER 9]

## AN ACT

February 9, 1937

[H. R. 3587]

[Public, No. 4]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

First Deficiency Appropriation Act, fiscal year 1937.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, namely:*

General appropriations.

Legislative.

Senate.

Louis Murphy.  
Pay to widow.Peter Norbeck.  
Pay to widow.

Miscellaneous items.

TITLE I—GENERAL APPROPRIATIONS  
LEGISLATIVE

## SENATE

To pay to Ellen E. Murphy, widow of Honorable Louis Murphy, late a Senator from the State of Iowa, \$10,000.

To pay to Lydia Norbeck, widow of Honorable Peter Norbeck, late a Senator from the State of South Dakota, \$10,000.

For miscellaneous items, exclusive of labor, fiscal year 1937, \$160,000.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1937, \$125,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1926, approved June 3, 1926, as amended: *Provided further*, That the rate of compensation for any position under the appropriations now available for, or herein or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under the Classification Act of 1923, as amended, for positions with comparable duties; and the salary limitations of \$3,600 attached to appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are hereby repealed.

Office of Sergeant at Arms and Doorkeeper: For two laborers, from February 1 to June 30, 1937, at the rate of \$1,260 per annum each, \$1,050.

#### HOUSE OF REPRESENTATIVES

For payment to the widow of Glover H. Cary, late a Representative from the State of Kentucky, \$10,000.

For payment to the widow of Warren J. Duffey, late a Representative from the State of Ohio, \$10,000.

For payment to the widow of William V. Gregory, late a Representative from the State of Kentucky, \$10,000.

For payment to the widow of Bernhard M. Jacobsen, late a Representative from the State of Iowa, \$10,000.

For payment to the widow of Andrew J. Montague, late a Representative from the State of Virginia, \$10,000.

For payment to the widow of John J. McSwain, late a Representative from the State of South Carolina, \$10,000.

For payment to the widow of Marion A. Zioncheck, late a Representative from the State of Washington, \$10,000.

The foregoing appropriations to be disbursed by the Sergeant at Arms of the House.

Contingent Expenses: For telegraph and telephone service, exclusive of personal services, fiscal year 1936, \$7,500.

For the procurement of a portrait of Honorable Joseph W. Byrns, Speaker of the House of Representatives of the Seventy-fourth Congress, \$2,500; and for the procurement of a portrait of Honorable William B. Bankhead, Speaker of the House of Representatives of the Seventy-fourth and Seventy-fifth Congresses, \$2,500; in all, \$5,000, to be disbursed by the Clerk of the House under the direction of the Speaker of the Seventy-fifth Congress.

#### JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

For the payment of the salaries and other expenses of the Joint Committee on Government Organization as authorized by law, fiscal year 1937, to remain available during the fiscal year 1938, \$30,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

#### OFFICE OF ARCHITECT OF THE CAPITOL

Air-conditioning, Capitol, Senate, and House Office Buildings: The appropriation for air-conditioning, Capitol, Senate, and House Office Buildings, contained in the Second Deficiency Appropriation

Inquiries and investigations.

*Provisos.*  
Per diem and subsistence expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Rate of compensation restricted.

5 U. S. C. § 673.

Certain salary limitations repealed.

Laborers.

House of Representatives.

Glover H. Cary.  
Pay to widow.

Warren J. Duffey.  
Pay to widow.

William V. Gregory.  
Pay to widow.

Bernhard M. Jacobsen.  
Pay to widow.

Andrew J. Montague.  
Pay to widow.

John J. McSwain.  
Pay to widow.

Marion A. Zioncheck.  
Pay to widow.

Contingent expenses.

Portraits of former Speaker Joseph W. Byrns and Speaker William B. Bankhead.

Joint Committee on Government Organization.

Salaries and expenses.  
*Ante*, p. 7.

Office of Architect of the Capitol.

Air-conditioning, Capitol, Senate, and House Office Buildings.  
49 Stat. 571.

Availability. Act, fiscal year 1935, approved August 12, 1935, shall continue available for the same purposes until June 30, 1938; and in addition there is appropriated, to be merged with, and to be available for the same purposes as, the appropriation hereinbefore extended, the sum of \$1,672,000, to remain available until June 30, 1938; all funds to be available for structural changes, alterations and additions at the Capitol Power Plant.

## EXECUTIVE

Executive.

Independent offices.

## INDEPENDENT OFFICES

Emergency relief.

## RELIEF AND WORK RELIEF

Relief and work relief.  
49 Stat. 1608.

*Proviso.*  
Legislative investigating committees.  
Details to, limitation.

Effective date.

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, \$789,000,000, which amount shall be added to, and proportionately increase the specified amounts of the limitations prescribed under, the appropriation made in such Act: *Provided*, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof. This proviso shall not take effect until thirty days after the date of the enactment of this Act.

Charles Carroll of Carrollton Bicentenary Commission.  
Expenses.

## CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION

49 Stat. 1516.

For every expenditure requisite for and incident to the performance of the duties of the Charles Carroll of Carrollton Bicentenary Commission in carrying into effect the provisions of Public Resolution Numbered 106, Seventy-fourth Congress, approved June 15, 1936, including personal services in the District of Columbia and elsewhere; travel expenses, and subsistence at not to exceed \$5 per day; erection of markers and memorials; postage, printing and binding, services, office supplies and equipment; pageantry, cartographic maps and publications and their distribution, promotion and stimulation of school activities through and by means of essay and public-speaking contests and by other methods, cooperation with the State of Maryland and patriotic societies; fiscal year 1937, to remain available during the fiscal year 1938, \$12,500.

Cooperation with Maryland.

District of Columbia Airport Commission.  
Expenses.

## DISTRICT OF COLUMBIA AIRPORT COMMISSION

49 Stat. 1236.

R. S. § 3709.  
41 U. S. C. § 5.

For the payment of all necessary expenses in carrying out the provisions of the Act entitled "An Act to establish a commercial airport for the District of Columbia", approved April 21, 1936, including compensation of experts and other assistants, printing and binding, contract stenographic reporting service without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and for the payment of obligations heretofore incurred in carrying out the purposes of such Act, \$10,000, one-half of such sum to be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Emergency Conservation Work.

## EMERGENCY CONSERVATION WORK

Administrative expenses and compensation payments.  
48 Stat. 22.

For an additional amount for the purpose of carrying into effect the provisions of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, which Act, as amended, is hereby continued in full force and effect to and including June 30,

1937, \$95,000,000, to be expended under the direction of the President and to be available until June 30, 1937, for the same purposes and objects as those specified under this head in the First Deficiency Appropriation Act, fiscal year 1936.

#### FARM CREDIT ADMINISTRATION

**Crop production and harvesting loans:** To enable the Governor of the Farm Credit Administration to carry into effect the provisions of the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes", approved January 29, 1937, including personal services and rent in the District of Columbia and elsewhere; traveling expenses; paper, printing, and binding; supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate involved does not exceed \$50, and such other expenses as may be necessary, fiscal year 1937, to remain available until June 30, 1938, \$50,000,000.

49 Stat. 1601.

Farm Credit Administration.

Crop production and harvesting loans.

*Ante*, p. 5.

Supplies and services.

41 U. S. C. § 5.

#### FEDERAL COMMUNICATIONS COMMISSION

For an additional amount for all authorized expenditures of the Federal Communications Commission, including personal services in the District of Columbia and elsewhere, in completing the investigation and reporting to Congress on matters with respect to the American Telephone and Telegraph Company and all other companies engaged directly or indirectly in telephone communication in interstate commerce, as authorized and directed in Public Resolution Numbered 8, Seventy-fourth Congress, approved March 15, 1935 (49 Stat. 43), \$350,000, to continue available until June 30, 1938.

Federal Communications Commission.

Investigation of telephone companies.

49 Stat. 43.

#### VETERANS' ADMINISTRATION

**Adjusted service and dependent pay:** For an additional amount for "Adjusted-service and dependent pay, Veterans' Administration", and for reimbursing the adjusted-service certificate fund in the amount of disbursements heretofore made therefrom and properly chargeable to the appropriation "Adjusted-service and dependent pay", \$1,000,000, to remain available until June 30, 1938.

Veterans' Administration.

Adjusted service and dependent pay.

49 Stat. 1182.

#### DISTRICT OF COLUMBIA

##### GENERAL EXPENSES

**Boiler Inspection and Regulation:** For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia", approved June 25, 1936 (49 Stat., 1917), fiscal year 1937, \$3,000.

**Employees' Compensation Fund:** For an additional amount for carrying out the provisions of section 11 of the District of Columbia Appropriation Act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, fiscal year 1937, \$10,000.

**Office of Register of Wills:** For an additional amount for miscellaneous and contingent expenses, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, \$3,000.

District of Columbia.

General expenses.

Boiler inspection service.

49 Stat. 1917.

Employees' Compensation Fund.

41 Stat. 104.

39 Stat. 742.

5 U. S. C. §§ 751-796.

Register of Wills, office expenses.

49 Stat. 1858.

Contingent, etc., expenses.

Postage.

Postage: For an additional amount for postage for strictly official mail matter, including the rental of postage-meter equipment, fiscal year 1937, \$3,000.

Printing and binding.

49 Stat. 1859.

Printing and Binding: For an additional amount for printing and binding, including the same limitations and provisions under this heading in the District of Columbia Appropriation Act for the fiscal year 1937, \$5,000.

Fire Department.

#### FIRE DEPARTMENT

Purchases modified.

49 Stat. 1872.

The appropriation, contained in the 1937 District of Columbia Appropriation Act, approved June 23, 1936 (49 Stat. 1872), reading "For three aerial hook and ladder trucks, four combination hose wagons, and two pumping engines, triple combination, all motor driven, \$92,000", is hereby changed to read as follows: "For additional fire-fighting apparatus, \$92,000".

#### DIVISION OF EXPENSES

Division of expenses.

The foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

Department of Agriculture.

### DEPARTMENT OF AGRICULTURE

Forest Service.

#### FOREST SERVICE

Forest fire prevention, etc.

49 Stat. 1439.

Fighting and preventing forest fires: For an additional amount for fighting and preventing forest fires, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1937, \$2,045,000.

Commodity Exchange Act.

#### ENFORCEMENT OF THE COMMODITY EXCHANGE ACT

Enforcement expenses.

7 U. S. C., Supp. II, §§ 1-17a.

For carrying into effect the provisions of the Commodity Exchange Act (U. S. C., Supp. II, title 7, secs. 1-17 (a)) including the employment of persons and means in the District of Columbia and elsewhere, fiscal year 1937, \$100,000.

Department of the Interior.

### DEPARTMENT OF THE INTERIOR

War Minerals Relief Commission.

#### WAR MINERALS RELIEF COMMISSION

Administrative expenses.

49 Stat. 1760.

Administrative expenses: For an additional amount for administrative expenses of the War Minerals Relief Commission for the fiscal year 1937, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1937, \$6,400.

Department of Justice.

### DEPARTMENT OF JUSTICE

Attorney General's office.

#### OFFICE OF THE ATTORNEY GENERAL

Salaries.

49 Stat. 1322.

Salaries: For an additional amount for salaries, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, \$10,450.

## MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

**Preparation of Rules in Actions at Law:** For an additional amount for preparation of rules in actions at law, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1935, \$23,500, to remain available until June 30, 1938.

## UNITED STATES SUPREME COURT

**Miscellaneous Expenses:** For an additional amount for miscellaneous expenses, United States Supreme Court, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1936, \$25,000, to remain available until June 30, 1938.

## DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

**Division of Public Contracts:** For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036), including supplies, stationery, printing and binding, telephone service, telegrams, furniture, office equipment, traveling expenses, contract stenographic reporting services, and other necessary expenses, fiscal year 1937, \$50,000.

**Transporting Filipinos to the Philippine Islands:** For all authorized expenditures in the fiscal year 1937 and to and including December 31, 1937, necessary to enable the Secretary of Labor to administer the provisions of the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935 (49 Stat., 478), as amended by the Act approved June 4, 1936 (49 Stat., 1462), \$150,000, together with the unexpended balance of the appropriation for this purpose contained in the Supplemental Appropriation Act, fiscal year 1936.

## NAVY DEPARTMENT

## OFFICE OF THE SECRETARY

**Claims for damages by collision with naval vessels:** To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in House Document Numbered 110 Seventy-fifth Congress, \$1,285.83.

## POST OFFICE DEPARTMENT

## OUT OF THE POSTAL REVENUES

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

**Contract Air Mail Service:** For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1937, \$984,000.

Miscellaneous.

Preparation of rules in actions at law.

49 Stat. 52.

United States Supreme Court.

Miscellaneous expenses.

49 Stat. 1625.

Department of Labor.

Secretary's office.

Division of Public Contracts.

Salaries and expenses.

49 Stat. 2036.

41 U. S. C., Supp. II, §§ 35-45.

Transporting Filipinos to the Philippine Islands.

49 Stat. 478, 1462.

Sum reappropriated.

49 Stat. 1121.

Navy Department.

Secretary's office.

Collision damage claims.

42 Stat. 1066.

34 U. S. C. § 599.

Post Office Department.

Second Assistant Postmaster General.

Contract Air Mail Service.

49 Stat. 1850.

Treasury Department.

## TREASURY DEPARTMENT

Secretary's office.

### OFFICE OF THE SECRETARY

Payments to Federal land banks on account of interest rate reductions.

49 Stat. 314.  
12 U. S. C., Supp.  
II, § 771.

49 Stat. 1635.

Payments to Federal land banks on account of reductions in interest rate on mortgages: For an additional amount for payments to each Federal land bank of such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, to supplement the amount made available for this purpose for the fiscal year 1937 in one fund by the "First Deficiency Appropriation Act, fiscal year 1936", \$6,000,000.

Accounts and Deposits office.

### OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Contingent expenses, public moneys.

49 Stat. 1831.

Contingent expenses, public moneys: For an additional amount for contingent expenses, public moneys, including the same objects, specified under this head in the Treasury Department Appropriation Act, 1937, \$75,000.

Bureau of the Budget.

### BUREAU OF THE BUDGET

Printing and binding.

Funds transferred.  
49 Stat. 1833.

Printing and binding<sup>1</sup>: Not to exceed \$5,000 of the appropriation<sup>1</sup> for salaries and expenses, Bureau of the Budget, fiscal year 1937, may be transferred to the appropriation for printing and binding, Bureau of the Budget, fiscal year 1937.

Coast Guard.

### COAST GUARD

Contingent expenses.

49 Stat. 1836.

Contingent expenses: For an additional amount for contingent expenses, Coast Guard, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, \$25,000.

Bureau of Engraving and Printing.

### BUREAU OF ENGRAVING AND PRINTING

Salaries and expenses.

49 Stat. 1837.

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Engraving and Printing, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, \$1,400,000, to remain available until June 30, 1938.

Procurement Division—Public Buildings Branch.

### PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Los Angeles, Calif., post office, etc.; cost limit increased.  
49 Stat. 599.

Los Angeles, California, post office and courthouse, and so forth: The limit of cost authorized under the provisions of the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of a post office and courthouse building in Los Angeles, California, is hereby increased from \$6,250,000 to \$7,280,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

Peoria, Ill.

Peoria, Illinois, post office and courthouse: The limit of cost authorized under the provisions of the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of a post office and courthouse building in Peoria, Illinois, is hereby increased from \$1,000,000 to \$1,200,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

Springerville, Ariz.

Springerville, Arizona, forestry and post office building: The limit of cost authorized under the provisions of the Second Deficiency

<sup>1</sup> So in original.

Appropriation Act, fiscal year 1935, for the construction of a post office and forestry building in Springerville, Arizona, is hereby increased from \$75,000 to \$105,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

## WAR DEPARTMENT

### OFFICE OF THE SECRETARY OF WAR

Claims for damages by collision with river and harbor vessels: To pay claims for damages by collision with river and harbor vessels adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act, approved June 5, 1920 (U. S. C., title 33, sec. 564), as set forth in House Document Numbered 120, Seventy-fifth Congress, \$2,087.20.

### QUARTERMASTER CORPS

Regular supplies of the Army: There is hereby transferred to the appropriation "Regular Supplies of the Army, 1937", the following amounts from the following appropriations: "Travel of the Army, 1937", \$240,000; "Pay of the Army, 1937", \$180,000; "Medical and Hospital Department, 1937", \$13,000; and "Ordnance Services and Supplies, 1937", \$7,000; in all, \$440,000.

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

### PROPERTY DAMAGE CLAIMS

SECTION 1. For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in House Document Numbered 114 of the Seventy-fifth Congress, as follows:

Works Progress Administration, \$10,340.22;  
Department of Commerce, \$291.05;  
Department of the Interior, \$165.56;  
Navy Department, \$61.66;  
Treasury Department, \$1,220.40;  
War Department, \$21,051.22;  
Post Office Department (payable from postal revenues), \$743.81;  
In all, \$33,873.92.

### JUDGMENTS, UNITED STATES COURTS

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761-765), certified to the Seventy-fifth Congress in House Document Numbered 117 under the following departments and establishments, namely:

Department of Agriculture, \$539.25;  
Post Office Department, \$600;  
Treasury Department, \$1,749.86;  
War Department, \$23,014.89;

War Department.

Secretary's office.

Collision damage claims.

41 Stat. 1015.  
33 U. S. C. § 564.

Quartermaster Corps.

Regular supplies.  
Sums transferred.  
49 Stat. 1283, 1282,  
1294, 1295.

Judgments and authorized claims.

Property damage claims.

Settlement of, not in excess of \$1,000.

42 Stat. 1066.  
31 U. S. C. §§ 215-217.

United States courts, judgments.

Payment of.

24 Stat. 505.  
28 U. S. C. § 41,  
par. 20; § 258; §§ 761-765.



**Interest.**

In all, \$25,904, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

**Suits in admiralty.**

43 Stat. 1112.  
46 U. S. C. §§ 781-789.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs 781-789), certified to the Seventy-fifth Congress in House Document Numbered 117, under the following departments, namely:

Navy Department, \$6,013.83;  
Treasury Department, \$11,468.70;  
War Department, \$6,656.64;

**Interest.**

In all, \$24,139.17, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

**Time of payments.**

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

**Restriction on interest payments.**

(d) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

**Judgments, Court of Claims.****JUDGMENTS, COURT OF CLAIMS****Payment of.**

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in House Document Numbered 115, under the following departments and establishments, namely:

Architect of the Capitol, \$1,662.50;  
United States Shipping Board, Emergency Fleet Corporation, \$194,500.50;  
Veterans' Administration, \$1,680;  
Department of Commerce, \$19,914.01;  
Navy Department, \$12,568.74;  
Treasury Department, \$3,787.73;  
War Department, \$132,414.87;

**Interest.**

In all, \$366,528.35, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

**Time of payments.**

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

**Audited claims.****AUDITED CLAIMS****Payment of.**

18 Stat. 110.  
31 U. S. C. § 713.

23 Stat. 254.  
5 U. S. C. § 266.

SEC. 4 (a). For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 113, Seventy-fifth Congress, there is appropriated as follows:

**Independent offices:** For salaries and expenses, Veterans' Administration, \$897.05.

Independent offices.

**Department of Commerce:** For increase of compensation, Department of Commerce, \$76.73.

Department of Commerce.

For air-navigation facilities, \$4,347.63.

For salaries and expenses, Bureau of the Census, 45 cents.

For promoting commerce in Europe and other areas, \$41.91.

For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, \$46.49.

For general expenses, lighthouse service, \$650.28.

For salaries, lighthouse vessels, \$123.13.

For surveying expenses, Coast and Geodetic Survey, \$200.

**Navy Department:** For pay, subsistence, and transportation, Navy, \$1,113.83.

Navy Department.

For general expenses, Marine Corps, \$29.50.

For judgments, bounty for destruction of enemy's vessels, \$22.15.

For prize money to captors, Spanish War, \$85.62.

**Treasury Department:** For salaries, Office of Chief Clerk and Superintendent, \$32.40.

Treasury Department.

For collecting the revenue from customs, \$83.11.

For Coast Guard, \$217.97.

For pay and allowances, Coast Guard, \$1,362.41.

For contingent expenses, Coast Guard, \$6.09.

For fuel and water, Coast Guard, \$98.40.

For rebuilding and repairing stations, and so forth, Coast Guard, \$223.

For retired pay, former life-saving service, \$1,858.19.

For collecting the internal revenue, \$32.48.

For enforcement of Narcotic and National Prohibition Acts, \$6.24.

For salaries and expenses, Bureau of Narcotics, \$26.07.

For suppressing counterfeiting and other crimes, \$4.16.

For pay of other employees, Public Health Service, \$68.17.

For pay of personnel and maintenance of hospitals, Public Health Service, \$610.58.

For collecting the war revenue, \$87.50.

For increase of compensation, Treasury Department, \$14.

For mechanical equipment for public buildings, \$146.28.

For operating force for public buildings, \$14.16.

For operating supplies for public buildings, \$16.38.

For furniture and repairs of same for public buildings, \$5.64.

For salaries, Procurement Division, \$250.

For general expenses, Procurement Division, \$3.

For operating expenses, Treasury buildings, Procurement Division, \$1,466.49.

**War Department:** For pay, and so forth, of the Army, \$13,262.53.

War Department.

For pay of the Army, \$256.59.

For general appropriations, Quartermaster Corps, \$182.52.

For clothing and equipment, \$72.90.

For subsistence of the Army, 80 cents.

For National Guard, \$2,249.66.

For Ordnance service and supplies, Army, \$150.

**Post Office Department—Postal Service (out of the postal revenues):** For carfare and bicycle allowance, \$50.

Post Office Department.

For city-delivery carriers, \$234.32.

For clerks, first- and second-class postoffices, \$1,095.90.

For clerks, third-class post offices, \$479.21.

For compensation to postmasters, \$9,791.26.

For compensation to assistant postmasters, \$48.72.

For foreign-mail transportation, \$1,512.

For freight, express, or motor transportation of equipment, and so forth, \$45.12.

For indemnities, domestic mail, \$279.40.

For indemnities, international mail, \$406.73.

For labor-saving devices, \$3.

For miscellaneous items, first- and second-class post offices \$257.33.

For operating force, public buildings, Post Office Department, \$278.24.

For operating supplies for public buildings, Post Office Department, \$477.77.

For post-office equipment and supplies, \$374.99.

For railroad transportation and mail messenger service, \$1,765.82.

For Railway Mail Service, miscellaneous expenses, \$3,722.36.

For Railway Mail Service, salaries, \$23.67.

For rent, light, and fuel, \$10,523.46.

For Rural Delivery Service, \$487.56.

For separating mails, \$58.19.

For special delivery fees, \$28.80.

For star-route service, \$390.16.

For unusual conditions at post offices, \$38.50.

For vehicle service, \$969.76.

For village delivery service, \$68.40.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), \$63,853.16, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Judgments against collectors of customs.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Court for the Southern District of New York against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fifth Congress in House Document Numbered 112, under the Department of Labor, \$65,954.49.

R. S. § 989.  
28 U. S. C. § 842.

Army disbursing officers; allowance for certain automobile shipments.

49 Stat. 1107.  
5 U. S. C. § 266.

SEC. 6. For the payment of claims allowed by the General Accounting Office pursuant to Public Act Numbered 436 of the Seventy-fourth Congress, which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 116, Seventy-fifth Congress, under the War Department, \$1,353.01.

Francis J. Baker.  
Payment of claim.  
45 Stat. 2362.

23 Stat. 254.  
5 U. S. C. § 266.

SEC. 7. For the payment of a claim allowed by the General Accounting Office pursuant to Private Act Numbered 524 of the Seventieth Congress, which has been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 121, Seventy-fifth Congress, under the War Department, \$141.

Interest withheld from claimants.

47 Stat. 1516.  
31 U. S. C. § 227.

SEC. 8. Interest withheld from claimants: For payment of interest on amounts withheld from claimants by the Comptroller General of the United States, Act of March 3, 1875, as amended by section 13 of the Act of March 3, 1933 (47 Stat., 1516), as allowed by the General Accounting Office, and certified to the Seventy-fifth Congress in House Document Numbered 118, under the Post Office Department, \$391.20, and under the Treasury Department, \$8,406.14; in all, \$8,797.34.

Interest on judgments against collectors of customs.

SEC. 9. Payment of interest on judgments against collector of customs: For payment of interest in certain cases where the original judgments in favor of the Transatlantica Italiana made no provision

for the payment of interest, but where interest was subsequently ordered by the United States District Court for the Southern District of New York, as certified to the Seventy-fifth Congress in House Document Numbered 111, under the Department of Labor, \$551.42.

SEC. 10. This Act may be cited as the First Deficiency Appropriation Act, fiscal year 1937.

Approved, February 9, 1937.

Citation of Act.

## [CHAPTER 10]

### AN ACT

To provide for loans made necessary by floods or other catastrophes in the year 1937.

February 11, 1937  
[S. 1439]  
[Public, No. 5]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby created a Disaster Loan Corporation with nonassessable capital stock in an amount not to exceed \$20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called, out of the unexpended balance of the \$50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the Act of April 17, 1936 (Public, Numbered 525, Seventy-fourth Congress). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe.

Disaster Loan Corporation; establishment, capital stock, etc.  
Subscription by Reconstruction Finance Corporation.

49 Stat. 1232.  
15 U. S. C., Supp. II, § 605k.  
Management.

Such Disaster Loan Corporation shall be empowered to make, upon such terms and conditions and in such manner as it may prescribe, such loans as it may determine to be necessary or appropriate because of floods or other catastrophes in the year 1937. Such Disaster Loan Corporation may use all its assets, including capital and net earnings therefrom, in the exercise of its functions.

Loans authorized for flood, etc., relief.  
Post, p. 211.

The Disaster Loan Corporation shall have succession until dissolved by Act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act.

Corporate powers.

Approved, February 11, 1937.

## [CHAPTER 11]

### JOINT RESOLUTION

Authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

February 12, 1937  
[S. J. Res. 20]  
[Pub. Res., No. 5]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition, to be held in the city of Dallas in the State of Texas during the year 1937.

Greater Texas and Pan American Exposition.  
President authorized to invite certain countries to participate.  
Post, p. 58.

Approved, February 12, 1937.

## [CHAPTER 12]

## JOINT RESOLUTION

February 19, 1937  
[S. J. Res. 38]  
[Pub. Res., No. 6]

To extend for a period of two years the guarantee by the United States of debentures issued by the Federal Housing Administrator.

Federal Housing  
Administration.  
Guaranty of debentures of, extended.  
48 Stat. 1249.  
12 U. S. C. § 1710.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 204 (b) of the National Housing Act, as amended, is amended by striking out "July 1, 1937" and inserting in lieu thereof "July 1, 1939".

Approved, February 19, 1937.

## [CHAPTER 13]

## AN ACT

To create the Capital Auditorium Commission.

February 20, 1937  
[S. 974]  
[Public, No. 6]

Capital Auditorium  
Commission; creation,  
composition, etc.

Authority to in-  
vestigate sites.

•  
Ascertainment of  
cost of site and con-  
struction thereon.

Report to Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby created a Commission to consist of the chairman and the ranking minority member of the Committee on Public Buildings and Grounds of the House of Representatives, the chairman and the ranking minority member of the Committee on Public Buildings and Grounds of the Senate, and the Secretary of the Interior, said Commission to be known as the Capital Auditorium Commission. Said Commission shall be authorized to investigate as to desirable sites for an auditorium to be constructed in the city of Washington with sufficient capacity, in the opinion of the Commission, to meet the requirements of public convenience and necessity.

The Commission is authorized to ascertain the approximate cost of a suitable site and of the erection of an auditorium thereon and to formulate plans, and to recommend how that cost shall be borne and how the auditorium, when constructed, shall be controlled and supervised. The Commission shall report to the Congress its plans and recommendations for legislation to carry out the same at any time during the present session of the Congress.

Approved, February 20, 1937.

## [CHAPTER 15]

## AN ACT

February 24, 1937  
[S. 466]  
[Public, No. 7]

Granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Missouri.

White River.  
Barry County, Mo.,  
may bridge, at Eagle  
Rock.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge and approaches thereto across the White River, at a point suitable to the interests of navigation, at or near Eagle Rock, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1937.

## [CHAPTER 16]

## AN ACT

To extend the time for completing the construction of a bridge across the Delaware River near Trenton, New Jersey.

February 24, 1937  
[S. 715]  
[Public, No. 8]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time for completing the construction of the bridge authorized by Act of Congress approved August 24, 1912, to be built by the Pennsylvania Railroad Company and the Pennsylvania and Newark Railroad Company across the Delaware River near the city of Trenton, New Jersey, which has heretofore been extended by Congress to August 24, 1937, is hereby extended for a further period of three years from the last-named date: *Provided*, That it shall not be lawful to complete or commence the completion of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

Delaware River.  
Time extended for  
bridging, at Trenton,  
N. J.  
37 Stat. 492; 48 Stat.  
355.

*Proviso.*  
Resubmission of  
plans.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 24, 1937.

## [CHAPTER 17]

## JOINT RESOLUTION

To make funds available for health and sanitation activities in the areas recently stricken by floods.

February 24, 1937  
[H. J. Res. 229]  
[Pub. Res., No. 7]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to allocate funds to the United States Public Health Service for health and sanitation activities in the areas recently stricken by floods from the appropriation made in the Emergency Relief Appropriation Act of 1936, as supplemented by the appropriation for relief and work relief in the First Deficiency Appropriation Act, fiscal year 1937, for the following purposes: (1) Grants to States for the purpose of aiding such States, or any county, health district, or other political subdivision thereof, in establishing and maintaining adequate public health services in the prevention and control of diseases in the areas recently stricken by floods, under regulations prescribed by the Surgeon General of the United States Public Health Service; (2) the employment of personnel in the city of Washington and elsewhere, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, to replace commissioned officers and other employees of such Public Health Service detailed to such areas; (3) reimbursement of appropriations of such Service for expenditures made from such appropriations for emergency work in such areas; and (4) the purchase of supplies and equipment to replace articles furnished from stock on hand for the care, support, and maintenance of flood refugees and in rendering assistance to health authorities.

Health and sanitation,  
flood-stricken areas.  
Funds authorized  
for designated activities in.  
49 Stat. 1608; *Ante*,  
p. 10.

Grants to States.

Services in the District of Columbia.  
5 U. S. C. §§ 661-674.

Reimbursement for  
emergency expenditures.  
Supplies and equipment.

Allocations not  
exclusive.

The allocations made by authority of this joint resolution shall not be exclusive but shall be in addition to those which otherwise may be made under the provisions of such Emergency Relief Appropriation Act of 1936, as supplemented.

Approved, February 24, 1937.

## [CHAPTER 18]

## JOINT RESOLUTION

February 25, 1937  
[S. J. Res. 70]  
[Pub. Res., No. 8]

Relating to the participation by the United States in the International Exposition of Paris, 1937.

International Ex-  
position of Paris, 1937.  
Additional author-  
ity for housing, etc.,  
U. S. exhibits.  
49 Stat. 1200.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in addition to the authority heretofore granted by the joint resolution, approved April 10, 1936, relating to the participation by the United States in the International Exposition of Paris, 1937, the Commissioner General and the Commissioner are hereby authorized to make such expenditures as may be necessary for the purpose of purchasing, constructing, or renovating exhibits, for the proper housing of exhibits (including the decoration, operation, and maintenance of buildings by contract without regard to the provisions of section 3709, Revised Statutes, or otherwise, and the payment of any obligations heretofore or hereafter incurred in connection with the employment of architects and engineers and reimbursement of their necessary travel expenses), and for the transportation of material and exhibits from the United States to France, and from France to the United States after the close of such exposition.

Contracts, etc.  
R. S. § 3709.  
41 U. S. C. § 5.

Transportation of  
material, etc.

Personal services.

5 U. S. C. §§ 661-674.

Effective date.

Functions and au-  
thority.

Expenditures, ac-  
counts, etc.

49 Stat. 1201.

Antideficiency pro-  
vision.

Appropriation.

49 Stat. 1633.

Availability.

Return of exhibits,  
etc., at close.

Disposition of un-  
used property, etc.

SEC. 2. Notwithstanding the provisions of section 3 of such resolution of April 10, 1936, the Commissioner General is authorized, without regard to the civil-service laws, to appoint, and without regard to the Classification Act of 1923, as amended, to fix the reasonable compensation of, such officers and employees as may be necessary to carry out the purposes of this resolution and of such resolution of April 10, 1936. This section shall be effective as of April 10, 1936.

SEC. 3. (a) Any functions granted to the Commissioner General and the Commissioner jointly may be exercised by either of them, and any authority herein granted to the Commissioner General may be delegated to the Commissioner or to any other person that the Commissioner General may designate for the purpose.

(b) The approval and certification of expenditures under this resolution, and the submission of accounts and vouchers, shall be made in the manner prescribed in section 4 of such resolution of April 10, 1936, except that any functions of the Secretary of State under such section may, in his discretion, be delegated, without release of responsibility, to any person he may designate for the purpose.

(c) Nothing in this resolution shall be construed to permit any indebtedness to be incurred in excess of the amount herein authorized to be appropriated.

SEC. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for carrying out the purposes of this resolution and of such resolution of April 10, 1936, the sum of \$150,000, and the unexpended and unobligated balance of any sums heretofore appropriated pursuant to the authorization contained in such resolution of April 10, 1936, shall also be available for the purposes of this resolution.

SEC. 5. The Commissioner General and the Commissioner are, with the approval of the Secretary of State, authorized to make available to any governmental agency such part of the sums heretofore or hereafter appropriated for the purposes of this resolution and such resolution of April 10, 1936, as may be effectively used by such agency to aid in carrying out such purposes.

SEC. 6. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General and the Commissioner shall return all borrowed property and exhibits to their points of origin and shall dispose of any portion of the material contributed as may be unused or any

property purchased in such manner as the Secretary of State may direct in the best interests of the Government, and account therefor.

Approved, February 25, 1937.

[CHAPTER 19]

JOINT RESOLUTION

To amend the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935.

February 27, 1937  
[H. J. Res. 212]  
[Pub. Res., No. 9]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 12 of the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935, is amended by striking out "February 28, 1937" and inserting in lieu thereof "June 30, 1938".

Certain tax levies upon carriers and their employees extended.  
49 Stat. 976.  
45 U. S. C., Supp. II, § 252.

Approved, February 27, 1937, 12 noon.

[CHAPTER 20]

AN ACT

To extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

March 1, 1937  
[S. 417]  
[Public, No. 9]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second paragraph of section 16 of the Federal Reserve Act, as amended, is amended to read as follows:

"Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates: *Provided, however*, That until June 30, 1939, the Board of Governors of the Federal Reserve System may, should it deem it in the public interest, upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, as such collateral security, direct obligations of the United States. At the close of business on such date, or sooner should the Board of Governors of the Federal Reserve System so decide, such authorization shall terminate and such obligations of the United States be retired as security for Federal Reserve notes. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it."

Federal Reserve Act, amendment.  
48 Stat. 398.  
12 U. S. C. § 412.

Federal Reserve notes; issue to Federal Reserve bank.

38 Stat. 263, 264.  
12 U. S. C. §§ 82, 342-347, 372; 353-359.

*Proviso.*  
Time extended during which direct obligations may be used as collateral security.

Retirement of, on expiration.

Security.

Daily notices of withdrawals, etc.

Additional security.

Approved, March 1, 1937.



## [CHAPTER 21]

## AN ACT

To provide for retirement of Justices of the Supreme Court.

March 1, 1937  
[H. R. 2518]  
[Public, No. 10]

Justices of the Supreme Court.  
Retirement provisions.

28 U. S. C. § 375.

Appointment of successors.  
Recall to service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Justices of the Supreme Court are hereby granted the same rights and privileges with regard to retiring, instead of resigning, granted to judges other than Justices of the Supreme Court by section 260 of the Judicial Code (U. S. C., title 28, sec. 375), and the President shall be authorized to appoint a successor to any such Justice of the Supreme Court so retiring from regular active service on the bench, but such Justice of the Supreme Court so retired may nevertheless be called upon by the Chief Justice and be by him authorized to perform such judicial duties, in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake.

Approved, March 1, 1937.

## [CHAPTER 22]

## JOINT RESOLUTION

To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

March 1, 1937  
[H. J. Res. 96]  
[Pub. Res., No. 10]

Foreign-trade agreements.

Authority of President to enter into, extended.

48 Stat. 944.

19 U. S. C. § 1351.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended by the Act (Public, Numbered 316, Seventy-third Congress) approved June 12, 1934, is hereby extended for a further period of three years from June 12, 1937.

Approved, March 1, 1937.

## [CHAPTER 24]

## JOINT RESOLUTION

To authorize the Postmaster General to withhold the awarding of star-route contracts for a period of sixty days.

March 2, 1937  
[S. J. Res. 84]  
[Pub. Res., No. 11]

Postal Service.  
Award of star-route contracts deferred.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General is authorized and directed to withhold the awarding of star-route contracts for which bids have been received in the first contract section for a period of sixty days after March 1, 1937.

Approved, March 2, 1937.

## [CHAPTER 25]

## AN ACT

To extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kansas.

March 4, 1937  
[S. 62]  
[Public, No. 11]

Missouri River.  
Time extended for bridging, at Atchison, Kansas.

48 Stat. 991.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the free highway bridge, and approaches thereto, across the Missouri River, at a point suitable to the interests of navigation, at or near the city of Atchison, Kansas, authorized to be built by the city of Atchison, Kansas, and the county of Buchanan, Missouri, or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, by an Act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from June 18, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 4, 1937.

Amendment.

[CHAPTER 26]

AN ACT

Authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department.

March 4, 1937

[S. 1128]

[Public, No. 12]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to accept, receive, hold, and administer gifts and bequests of personal property, and loans of personal property other than money, from individuals or others for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services. Gifts or bequests of money shall be deposited in the Treasury of the United States as trust funds under the title "Office of Naval Records and Library Fund."

Office of Naval Records and Library, Navy Department.  
Acceptance of gifts, etc., authorized.

Deposits of money as trust funds.

SEC. 2. Gifts or bequests for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services shall be exempt from all Federal taxes.

Tax exemption.

SEC. 3. The Secretary of the Treasury is authorized, upon the request of the Secretary of the Navy, to invest or reinvest the trust funds, or any part thereof, deposited in the Treasury pursuant to section 1 of this Act in securities of the United States Government or in securities guaranteed by the United States Government. The interest accruing from such securities shall be deposited to the credit of the Office of Naval Records and Library Fund.

Investments of trust funds.

Interest.

Approved, March 4, 1937.

[CHAPTER 27]

AN ACT

To authorize the acceptance of certain lands in the city of San Diego, California, by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego.

March 4, 1937

[S. 1130]

[Public, No. 13]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized on behalf of the United States to accept from the city of San Diego, California, free from all encumbrances and without cost to the United States, all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the southeasterly line of Harasthy Street with mean high-tide line of the Bay of San Diego, as said mean high-tide line was established by that certain superior court action numbered 35473; thence southwesterly along the southwesterly prolongation of the southeasterly line of Harasthy Street a distance of one hundred and fifty-nine and sixty-six one-hundredths feet to an intersection with the northeasterly Marine Base boundary line; thence north sixty degrees thirty-four minutes fifty-nine seconds west along the said Marine Base boundary line a distance of one thousand nine hundred and twenty-nine and eleven one-hundredths feet to its intersection with the said mean high-tide line of the Bay of San Diego; thence in a general southeasterly direction, following along the said mean high-tide line to the point or place of beginning, containing five and twenty-four-hundred-and-seventy-four ten-thousandths acres of land; also approximately five hundred and forty-four acres of pueblo lands, owned by the city of San Diego, more particularly described as follows: The easterly half of pueblo lot

San Diego, Calif.  
Exchange of certain lands authorized.

Tract ceded by city.

1300; all of pueblo lot 1309; all of pueblo lot 1310; all of that portion of pueblo lot 1311 lying easterly of Pacific Highway and southerly of Miramar Road; all of that portion of pueblo lot 1314 lying southerly of Miramar Road; all of that portion of pueblo lot 1315 lying southerly of Miramar Road; all of that portion of the westerly half of pueblo lot 1316 lying southerly of Miramar Road; said pueblo lands being according to the map thereof made by James Pascoe in 1870, a certified copy of which map is filed as miscellaneous map numbered 36 in the office of the county recorder of San Diego County, California; said lands being desired by the Navy Department for national defense, and particularly for the purpose of establishing and maintaining thereon a rifle range, together with barracks and other structures incident thereto.

Lands transferred to city.

The said Secretary of the Navy is also authorized hereby to transfer to the city of San Diego, California, free from all encumbrances and without cost to said city of San Diego, all rights, title, and interest of the United States in and to the lands contained within that part of the Marine Corps Base, San Diego, California, containing sixty and sixteen-hundred-and-five ten-thousandths acres, more particularly described as follows: Beginning at the point of intersection of the southwesterly prolongation of the northwesterly line of Bean Street with the combined United States pierhead and bulkhead line, as said combined United States pierhead and bulkhead line was established in 1928; thence north eighty-three degrees west a distance of seven hundred and twenty-nine and sixty-two one-hundredths feet along the said combined pierhead and bulkhead line to an intersection with the southwesterly prolongation of the southeasterly line of Harasthy Street; thence north twenty-eight degrees forty-nine minutes forty seconds east along the southwesterly prolongation of the southeasterly line of Harasthy Street, a distance of four thousand and eight and twenty-seven one-hundredths feet to an intersection with the existing Marine Base boundary line; thence south sixty degrees thirty-four minutes fifty-nine seconds east along the said Marine Base boundary line a distance of six hundred and seventy-seven and eighty-eight one-hundredths feet to an intersection with the southwesterly prolongation of the northwesterly line of Bean Street; thence south twenty-eight degrees fifty minutes ten seconds west along the southwesterly prolongation of the northwesterly line of Bean Street a distance of three thousand seven hundred and thirty and two one-hundredths feet to the point or place of beginning, containing sixty and sixteen-hundred-and-five ten-thousandths acres of bay area.

Approved, March 4, 1937.

#### [CHAPTER 28]

#### AN ACT

To provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of flood waters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Snake River and tributaries in the States of Idaho, Washington, and Oregon with a view to control of its floods, in accordance with the provisions of the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

Approved, March 4, 1937.

March 4, 1937

[S. 206]

[Public, No. 14]

Snake River.  
Survey of, and tributaries, directed for controlling floods.

49 Stat. 1570.  
33 U. S. C., Supp.  
II, §§ 701a-701f.

## [CHAPTER 29]

## AN ACT

To authorize the purchase and distribution of products of the fishing industry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000,000 for the purpose of enabling the Federal Surplus Commodities Corporation to divert surplus fish (including shellfish) and the products thereof from the normal channels of trade and commerce by acquiring them and providing for their distribution through Federal, State, and private relief agencies. No commodities shall be acquired under this Act after ninety days after the date of its enactment: *Provided, however,* That distribution thereof may extend beyond said period. The provisions of law relating to the acquisition of materials or supplies for the United States shall not apply to the acquisition of commodities under this Act.

Approved, March 5, 1937.

March 5, 1937  
[H. R. 4609]  
[Public, No. 15]

Fishing industry products.  
Purchase and distribution of, authorized.  
Post, p. 61.

Time limitation on acquisition.  
*Proviso.*  
Extension on distribution permitted.

## [CHAPTER 32]

## AN ACT

To extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon, authorized to be built by The Dalles Bridge Company, a Washington corporation, by an Act of Congress approved March 4, 1933, heretofore extended by Act of Congress approved April 30, 1934, is hereby further extended three years from March 4, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

March 10, 1937  
[H. R. 2503]  
[Public, No. 16]

Columbia River.  
Time extended for bridging, at The Dalles, Oreg.

47 Stat. 1552; 48 Stat. 649.

Amendment.

## [CHAPTER 33]

## AN ACT

Granting the consent of Congress to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Alabama.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge and approaches thereto across the Coosa River, at a point suitable to the interests of navigation, at or near Gilberts Ferry, in Etowah County, Alabama, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

March 10, 1937  
[H. R. 3148]  
[Public, No. 17]

Coosa River.  
Alabama, etc., may bridge, at Gilberts Ferry.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

## [CHAPTER 34]

## AN ACT

March 10, 1937  
[H. R. 3675]  
[Public, No. 18]

To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia.

Savannah River.  
Time extended for  
bridging, at Lincolnton,  
Ga.  
47 Stat. 903; 49 Stat.  
1070.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia, authorized to be built by the State of Georgia by an Act of Congress approved February 24, 1933, heretofore extended by an Act of Congress approved August 30, 1935, are hereby further extended one and three years, respectively, from February 24, 1937.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

## [CHAPTER 35]

## AN ACT

March 10, 1937  
[H. R. 194]  
[Public, No. 19]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska.

Missouri River.  
Time extended for  
bridging, at Brownville,  
Nebr.  
49 Stat. 1068, 1529.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Brownville, Nebraska, authorized to be built by the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, by section 18 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from June 19, 1937.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

## [CHAPTER 36]

## AN ACT

March 10, 1937  
[H. R. 3689]  
[Public, No. 20]

Declaring Turtle Bay and Turtle Bayou, Chambers County, Texas, to be non-navigable waterways.

Turtle Bay and  
Turtle Bayou in  
Chambers County,  
Tex., declared non-  
navigable.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Turtle Bay and Turtle Bayou, in Chambers County, in the State of Texas, be, and the same are hereby, declared to be nonnavigable waterways within the meaning of the Constitution and laws of the United States of America.

Turtle Bayou, Tex.,  
improvement abandoned.  
36 Stat. 650.

SEC. 2. That the existing project for Turtle Bayou, Texas, authorized by the Rivers and Harbors Act approved June 25, 1910, be, and the same is hereby, abandoned.

Amendment.

SEC. 3. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

## [CHAPTER 40]

## JOINT RESOLUTION

Authorizing the Commissioner of Internal Revenue to grant further extensions of time for filing returns under title III of the Revenue Act of 1936.

March 13, 1937  
[H. J. Res. 249]  
[Pub. Res., No. 12]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of Internal Revenue be, and he is hereby, authorized to grant additional reasonable extensions of time for filing returns under title III of the Revenue Act of 1936 for the calendar year 1935 and any fiscal year ending on or before August 31, 1936: *Provided*, That, except in the case of taxpayers who are abroad, no such extension shall be made beyond June 15, 1937.

Approved, March 13, 1937, 11 a. m.

Tax on unjust enrichment.  
Extensions of time for filing returns.  
49 Stat. 1734.  
26 U. S. C., Supp. II, §§ 345-345e.  
*Proviso.*  
Limitation.

## [CHAPTER 41]

## JOINT RESOLUTION

To aid in defraying the expenses of the International Labor Office incident to holding its Technical Tripartite Textile Conference.

March 15, 1937  
[H. J. Res. 252]  
[Pub. Res., No. 13]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 to aid in defraying the extraordinary expenses of the International Labor Office incident to holding its Technical Tripartite Textile Conference in Washington, District of Columbia, in April 1937: *Provided*, That \$10,000 of this appropriation shall be available for contribution for such purposes to the International Labor Organization, and not to exceed \$5,000 shall be available for expenditure by the Secretary of Labor for expenses incident to holding such conference in Washington, including personal services in the District of Columbia, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), local transportation, stationery, supplies, repairs and alterations, and such other expenses as the Secretary of Labor may deem necessary.

Approved, March 15, 1937.

Technical Tripartite Textile Conference.  
Appropriation for aid to International Labor Office incident to expenses of.  
*Proviso.*  
Allocations.

Contracts without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.

## [CHAPTER 43]

## AN ACT

To regulate the sales of goods in the District of Columbia.

March 17, 1937  
[S. 936]  
[Public, No. 21]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after July 1, 1937, all sales of goods in the District of Columbia shall be made under and in accordance with the following provisions of law:

District of Columbia Uniform Sales Act.  
Effective date.

## PART I

## FORMATION OF THE CONTRACT

**SECTION 1. CONTRACTS TO SELL AND SALES.**—(1) A contract to sell goods is a contract whereby the seller agrees to transfer the property in goods to the buyer for a consideration called the "price."

(2) A sale of goods is an agreement whereby the seller transfers the property in goods to the buyer for a consideration called the "price."

(3) A contract to sell or a sale may be absolute or conditional.

Formation of the contract.  
Contracts to sell and sales.

Term defined.

Types.

Between one part owner and another.

Capacity.

Liability for necessities.

"Necessaries" defined.

Formalities of the contract.

Form of contract or sale.

Statute of frauds.

Scope.

Acceptance of goods.

Subject matter of contract.

Existing and future goods.

Undivided shares.

Fungible goods.

(4) There may be a contract to sell or a sale between one part owner and another.

**SEC. 2. CAPACITY—LIABILITIES FOR NECESSARIES.**—Capacity to buy and sell is regulated by the general law concerning capacity to contract, and to transfer and acquire property.

Where necessities are sold and delivered to an infant, or to a person who by reason of mental incapacity or drunkenness is incompetent to contract, he must pay a reasonable price therefor.

"Necessaries" in this section means goods suitable to the condition in life of such infant or other person, and to his actual requirements at the time of delivery.

#### FORMALITIES OF THE CONTRACT

**SEC. 3. FORM OF CONTRACT OR SALE.**—Subject to the provisions of this Act and of any statute in that behalf, a contract to sell or a sale may be made in writing (either with or without seal), or by word of mouth, or partly in writing and partly by word of mouth or may be inferred from the conduct of the parties.

**SEC. 4. STATUTE OF FRAUDS.**—(1) A contract to sell or a sale of any goods or choses in action of the value of \$500 or upwards shall not be enforceable by action unless the buyer shall accept part of the goods or choses in action so contracted to be sold or sold, and actually receive the same, or give something in earnest to bind the contract, or in part payment, or unless some note or memorandum in writing of the contract or sale be signed by the party to be charged or his agent in that behalf.

(2) The provisions of this section apply to every such contract or sale, notwithstanding that the goods may be intended to be delivered at some future time or may not at the time of such contract or sale be actually made, procured, or provided, or fit or ready for delivery, or some act may be requisite for the making or completing thereof, or rendering the same fit for delivery; but if the goods are to be manufactured by the seller especially for the buyer and are not suitable for sale to others in the ordinary course of the seller's business, the provisions of this section shall not apply.

(3) There is an acceptance of goods within the meaning of this section when the buyer, either before or after delivery of the goods, expresses by words or conduct his assent to becoming the owner of those specific goods.

#### SUBJECT MATTER OF CONTRACT

**SEC. 5. EXISTING AND FUTURE GOODS.**—(1) The goods which form the subject of a contract to sell may be either existing goods, owned or possessed by the seller, or goods to be manufactured or acquired by the seller after the making of the contract to sell, in this Act called future goods.

(2) There may be a contract to sell goods, the acquisition of which by the seller depends upon a contingency which may or may not happen.

(3) Where the parties purport to effect a present sale of future goods, the agreement operates as a contract to sell the goods.

**SEC. 6. UNDIVIDED SHARES.**—(1) There may be a contract to sell or a sale of an undivided share of goods. If the parties intend to effect a present sale, the buyer, by force of the agreement, becomes an owner in common with the owner or owners of the remaining shares.

(2) In the case of fungible goods, there may be a sale of an undivided share of a specific mass, though the seller purports to sell

and the buyer to buy a definite number, weight, or measure of the goods in the mass, and though the number, weight, or measure of the goods in the mass is undetermined. By such a sale the buyer becomes owner in common of such a share of the mass as the number, weight, or measure bought bears to the number, weight, or measure of the mass. If the mass contains less than the number, weight, or measure bought, the buyer becomes the owner of the whole mass and the seller is bound to make good the deficiency from similar goods unless a contrary intent appears.

SEC. 7. DESTRUCTION OF GOODS SOLD.—(1) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have wholly perished at the time when the agreement is made, the agreement is void.

Destruction of goods sold.

(2) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have perished in part or have wholly or in a material part so deteriorated in quality as to be substantially changed in character, the buyer may at his option treat the sale—

(a) As avoided; or

(b) As transferring the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the sale was indivisible, or to pay the agreed price for the goods in which the property passes if the sale was divisible<sup>1</sup>.

SEC. 8. DESTRUCTION OF GOODS CONTRACTED TO BE SOLD.—(1) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault on the part of the seller or the buyer, the goods wholly perish, the contract is thereby voided.

Destruction of goods contracted to be sold.

(2) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault of the seller or the buyer, part of the goods perish or the whole or a material part of the goods so deteriorate in quality as to be substantially changed in character, the buyer may at his option treat the contract—

(a) As avoided; or

(b) As binding the seller to transfer the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the contract was indivisible, or to pay the agreed price for so much of the goods as the seller, by the buyer's option, is bound to transfer if the contract was divisible.

#### THE PRICE

The price.

SEC. 9. DEFINITION AND ASCERTAINMENT OF PRICE.—(1) The price may be fixed by the contract, or may be left to be fixed in such manner as may be agreed, or it may be determined by the course of dealing between the parties.

Definition and ascertainment.

(2) The price may be made payable in any personal property.

Payment in personal property.  
Transfer of interest in real estate.

(3) Where transferring or promising to transfer any interest in real estate constitutes the whole or part of the consideration for transferring or for promising to transfer the property in goods, this Act shall not apply.

(4) Where the price is not determined in accordance with the foregoing provisions, the buyer must pay a reasonable price. What is a reasonable price is a question of fact dependent on the circumstances of each particular case.

If price is not determined.

<sup>1</sup> So in original.



Sale at a valuation.

SEC. 10. SALE AT A VALUATION.—(1) Where there is a contract to sell or a sale of goods at a price or on terms to be fixed by a third person, and such third person without fault of the seller or the buyer cannot or does not fix the price or terms, the contract or the sale is thereby avoided; but if the goods or any part thereof have been delivered to and appropriated by the buyer he must pay a reasonable price therefor.

Where third person prevented from fixing price, etc.

(2) Where such third person is prevented from fixing the price or terms by fault of the seller or the buyer, the party not in fault may have such remedies against the party in fault as are allowed by parts IV and V of this Act.

Post, pp. 41, 44.

Conditions and warranties.

#### CONDITIONS AND WARRANTIES

Effect of.

SEC. 11. EFFECT OF CONDITIONS.—(1) Where the obligation of either party to a contract to sell or a sale is subject to any condition which is not performed, such party may refuse to proceed with the contract or sale or he may waive performance of the condition. If the other party has promised that the condition should happen or be performed, such first-mentioned party may also treat the nonperformance of the condition as a breach of warranty.

(2) Where the property in the goods has not passed, the buyer may treat the fulfillment by the seller of his obligations to furnish goods as described and as warranted expressly or by implication in the contract to sell as a condition of the obligation of the buyer to perform his promise to accept and pay for the goods.

Express warranty defined.

SEC. 12. DEFINITION OF EXPRESS WARRANTY.—Any affirmation of fact or any promise by the seller relating to the goods is an express warranty if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods, and if the buyer purchases the goods relying thereon. No affirmation of the value of the goods, nor any statement purporting to be a statement of the seller's opinion only shall be construed as a warranty.

Implied warranties of title.

SEC. 13. IMPLIED WARRANTIES OF TITLE.—In a contract to sell or a sale, unless a contrary intention appears, there is—

(1) An implied warranty on the part of the seller that in case of a sale he has a right to sell the goods, and that in case of a contract to sell he will have a right to sell the goods at the time when the property is to pass;

(2) An implied warranty that the buyer shall have and enjoy quiet possession of the goods as against any lawful claims existing at the time of the sale;

(3) An implied warranty that the goods shall be free at the time of the sale from any charge or encumbrance in favor of any third person, not declared or known to the buyer before or at the time when the contract or sale is made.

(4) This section shall not, however, be held to render liable a sheriff, auctioneer, mortgagee, or other person professing to sell by virtue of authority in fact or law, goods in which a third person has a legal or equitable interest.

Implied warranty in sale by description.

SEC. 14. IMPLIED WARRANTY IN SALE BY DESCRIPTION.—Where there is a contract to sell or a sale of goods by description, there is an implied warranty that the goods shall correspond with the description and if the contract or sale be by sample, as well as by description, it is not sufficient that the bulk of the goods corresponds with the sample if the goods do not also correspond with the description.

Implied warranties of quality.

SEC. 15. IMPLIED WARRANTIES OF QUALITY.—Subject to the provisions of this act and of any statute in that behalf, there is no implied

<sup>1</sup> So in original.

warranty or condition as to the quality or fitness for any particular purpose of goods supplied under a contract to sell or a sale, except as follows:

(1) Where the buyer, expressly or by implication, makes known to the seller the particular purpose for which the goods are required, and it appears that the buyer relies on the seller's skill or judgment (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be reasonably fit for such purpose.

(2) Where the goods are bought by description from a seller who deals in goods of that description (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be merchantable quality.

(3) If the buyer has examined the goods, there is no implied warranty as regards defects which such examination ought to have revealed.

(4) In the case of a contract to sell or a sale of a specified article under its patent or other trade name, there is no implied warranty as to its fitness for any particular purpose.

(5) An implied warranty or condition as to the quality or fitness for a particular purpose may be annexed by the usage of trade.

(6) An express warranty or condition does not negative a warranty or condition implied under this Act unless inconsistent therewith.

#### SALE BY SAMPLE

Sale by sample.

Implied warranties.

SEC. 16. IMPLIED WARRANTIES IN SALE BY SAMPLE.—In the case of a contract to sell or a sale by sample—

(a) There is an implied warranty that the bulk shall correspond with the sample in quality.

(b) There is an implied warranty that the buyer shall have a reasonable opportunity of comparing the bulk with the sample, except so far as otherwise provided in section 47 (3).

(c) If the seller is a dealer in goods of that kind, there is an implied warranty that the goods shall be free from any defect rendering them unmerchantable which would not be apparent on reasonable examination of the sample.

#### PART II

Part II.

#### TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER

SEC. 17. NO PROPERTY PASSES UNTIL GOODS ARE ASCERTAINED.—Where there is a contract to sell unascertained goods no property in the goods is transferred to the buyer unless and until the goods are ascertained, but property in an undivided share of ascertained goods may be transferred as provided in section 6.

Transfer of property as between seller and buyer.

No property passes until goods are ascertained.

SEC. 18. PROPERTY IN SPECIFIC GOODS PASSES WHEN PARTIES SO INTEND.—(1) Where there is a contract to sell specific or ascertained goods, the property in them is transferred to the buyer at such time as the parties to the contract intend it to be transferred.

Property in specific goods passes when parties so intend.

(2) For the purpose of ascertaining the intention of the parties, regard shall be had to the terms of the contract, the conduct of the parties, usages of trade, and the circumstances of the case.

SEC. 19. RULES FOR ASCERTAINING INTENTION.—Unless a different intention appears, the following are rules for ascertaining the intention of the parties as to the time at which the property in the goods is to pass to the buyer:

Rules for ascertaining intention.

Rule 1. Where there is an unconditional contract to sell specific goods, in a deliverable state, the property in the goods passes to the buyer when the contract is made and it is immaterial whether the time of payment, or the time of delivery, or both, be postponed.

Rule 2. Where there is a contract to sell specific goods and the seller is bound to do something to the goods, for the purpose of putting them into a deliverable state, the property does not pass until such thing is done.

Rule 3. (1) When goods are delivered to the buyer "on sale or return", or on other terms indicating an intention to make a present sale, but to give the buyer an option to return the goods instead of paying the price, the property passes to the buyer on delivery, but he may revert the property in the seller by returning or tendering the goods within the time fixed in the contract, or, if no time has been fixed, within a reasonable time.

(2) When goods are delivered to the buyer on approval or on trial or on satisfaction, or other similar terms, the property therein passes to the buyer—

(a) When he signifies his approval or acceptance to the seller or does any other act adopting the transaction;

(b) If he does not signify his approval or acceptance to the seller, but retains the goods without giving notice of rejection, then if a time has been fixed for the return of the goods, on the expiration of such time, and, if no time has been fixed, on the expiration of a reasonable time. What is a reasonable time is a question of fact.

Rule 4. (1) Where there is a contract to sell unascertained or future goods by description, and goods of that description and in a deliverable state are unconditionally appropriated to the contract, either by the seller with the assent of the buyer, or by the buyer with the assent of the seller, the property in the goods thereupon passes to the buyer. Such assent may be expressed or implied, and may be given either before or after the appropriation is made.

(2) Where, in pursuance of a contract to sell, the seller delivers the goods to the buyer, or to a carrier or other bailee (whether named by the buyer or not) for the purpose of transmission to or holding for the buyer, he is presumed to have unconditionally appropriated the goods to the contract, except in the cases provided for in the next rule and in section 20. This presumption is applicable, although by the terms of the contract, the buyer is to pay the price before receiving delivery of the goods, and the goods are marked with the words "collect on delivery" or their equivalents.

Rule 5. If the contract to sell requires the seller to deliver the goods to the buyer, or at a particular place, or to pay the freight or cost of transportation to the buyer, or to a particular place, the property does not pass until the goods have been delivered to the buyer or reached the place agreed upon.

Reservation of right of possession or property when goods are shipped.

SEC. 20. RESERVATION OF RIGHT OF POSSESSION OR PROPERTY WHEN GOODS ARE SHIPPED. (1) Where there is a contract to sell specific goods, or where goods are subsequently appropriated to the contract, the seller may, by the terms of the contract or appropriation, reserve the right of possession or property in the goods until certain conditions have been fulfilled. The right of possession or property may be thus reserved notwithstanding the delivery of the goods to the buyer or to a carrier or other bailee for the purpose of transmission to the buyer.

(2) Where goods are shipped, and by the bill of lading the goods are deliverable to the seller or his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill of lading, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of

securing performance by the buyer of his obligations under the contract.

(3) Where goods are shipped, and by the bill of lading the goods are deliverable to the order of the buyer or of his agent, but possession of the bill of lading is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods as against the buyer.

(4) Where the seller of goods draws on the buyer for the price and transmits the bill of exchange and bill of lading together to the buyer to secure acceptance or payment of the bill of exchange, the buyer is bound to return the bill of lading if he does not honor the bill of exchange, and if he wrongfully retains the bill of lading he acquires no added right thereby. If, however, the bill of lading provides that the goods are deliverable to the buyer or to the order of the buyer, or is endorsed in blank, or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill of lading, or goods from the buyer will obtain the property in the goods, although the bill of exchange has not been honored, provided that such purchaser has received delivery of the bill of lading endorsed by the consignee named therein, or of the goods, without notice of the facts, making the transfer wrongful.

SEC. 21. SALE BY AUCTION.—In the case of a sale by auction—

Sale by auction.

(1) Where goods are put up for sale by auction in lots, each lot is the subject of a separate contract of sale.

(2) A sale by auction is complete when the auctioneer announces its completion by the fall of the hammer, or in other customary manner. Until such announcement is made, any bidder may retract his bid; and the auctioneer may withdraw the goods from sale unless the auction has been announced to be without reserve.

(3) A right to bid may be reserved expressly by or on behalf of the seller.

(4) Where notice has not been given that a sale by auction is subject to a right to bid on behalf of the seller, it shall not be lawful for the seller to bid himself or to employ or induce any person to bid at such sale on his behalf, or for the auctioneer to employ or induce any person to bid at such sale on behalf of the seller or knowingly to take any bid from the seller or any person employed by him. Any sale contravening this rule may be treated as fraudulent by the buyer.

SEC. 22. RISK OF LOSS.—Unless otherwise agreed, the goods remain at the seller's risk until the property therein is transferred to the buyer, but when the property therein is transferred to the buyer the goods are at the buyer's risk whether delivery has been made or not, except that—

Risk of loss.

(a) Where delivery of the goods has been made to the buyer or to a bailee for the buyer, in pursuance of the contract and the property in the goods has been retained by the seller merely to secure performance by the buyer of his obligations under the contract, the goods are at the buyer's risk from the time of such delivery.

(b) Where delivery has been delayed through the fault of either the buyer or seller the goods are at the risk of the party in fault as regards any loss which might not have occurred but for such fault.

#### TRANSFER OF TITLE

Transfer of title.

SEC. 23. SALE BY A PERSON NOT THE OWNER.—(1) Subject to the provisions of this Act, where goods are sold by a person who is not the owner thereof, and who does not sell them under the authority or with the consent of the owner, the buyer acquires no better title

Sale by other than owner.

to the goods than the seller had, unless the owner of the goods is by his conduct precluded from denying the seller's authority to sell.

Provisions not affected.

(2) Nothing in this Act, however, shall affect—

(a) The provisions of any factors' acts, recording acts, or any enactment enabling the apparent owner of goods to dispose of them as if he were the true owner thereof.

(b) The validity of any contract to sell or sale under any special common law or statutory power of sale or under the order of a court of competent jurisdiction.

Sale by one having a voidable title.

SEC. 24. SALE BY ONE HAVING A VOIDABLE TITLE.—Where the seller of goods has a voidable title thereto, but his title has not been voided at the time of the sale, the buyer acquires a good title to the goods, provided he buys them in good faith, for value, and without notice of the seller's defect of title.

Sale by seller in possession of goods already sold.

SEC. 25. SALE BY SELLER IN POSSESSION OF GOODS ALREADY SOLD.—Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, the delivery or transfer by that person, or by an agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition thereof, to any person receiving and paying value for the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorized by the owner of the goods to make the same.

Creditors' rights against sold goods in seller's possession.

SEC. 26. CREDITORS' RIGHTS AGAINST SOLD GOODS IN SELLER'S POSSESSION.—Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods and such retention of possession is fraudulent in fact or is deemed fraudulent under any rule of law, a creditor or creditors of the seller may treat the sale as void.

Definition of negotiable documents of title.

SEC. 27. DEFINITION OF NEGOTIABLE DOCUMENTS OF TITLE.—A document of title in which it is stated that the goods referred to therein will be delivered to the bearer, or to the order of any person named in such document is a negotiable document of title within the meaning of this Act.

Negotiation of negotiable documents by delivery.

SEC. 28. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY DELIVERY.—A negotiable document of title may be negotiated by delivery—

(a) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same undertakes to deliver the goods to the bearer; or

(b) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same, undertakes to deliver the goods to the order of a specified person, and such person or a subsequent endorsee of the document has endorsed it in blank or to the bearer.

Where by the terms of a negotiable document of title the goods are deliverable to bearer or where a negotiable document of title has been endorsed in blank or to bearer, any holder may endorse the same to himself or to any specified person, and in such case the document shall thereafter be negotiated only by the endorsement of such endorsee.

By endorsement.

SEC. 29. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY ENDORSEMENT.—A negotiable document of title may be negotiated by the endorsement of the person to whose order<sup>1</sup> the goods are by the terms of the document deliverable. Such endorsement may be in blank, to bearer, or to a specified person. If endorsed to a specified person, it may be again negotiated by the endorsement of such person in blank, to bearer, or to another specified person. Subsequent negotiations may be made in like manner.

<sup>1</sup> So in original.

SEC. 30. NEGOTIABLE DOCUMENTS OF TITLE MARKED "NOT NEGOTIABLE".—If a document of title which contains an undertaking by a carrier, warehouseman, or other bailee to deliver the goods to the bearer, to a specified person or order, or to the order of a specified person, or which contains words of like import, has placed upon it the words "not negotiable", "nonnegotiable", or the like, such a document may nevertheless be negotiated by the holder and is a negotiable document of title within the meaning of this Act. But nothing in this Act contained shall be construed as limiting or defining the effect upon the obligations of the carrier, warehouseman, or other bailee issuing a document of title or placing thereon the words "not negotiable", "nonnegotiable", or the like.

Negotiable documents of title marked "Not negotiable."

SEC. 31. TRANSFER OF NONNEGOTIABLE DOCUMENTS.—A document of title which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee. A nonnegotiable document cannot be negotiated and the endorsement of such a document gives the transferee no additional right.

Transfer of nonnegotiable documents.

SEC. 32. WHO MAY NEGOTIATE A DOCUMENT.—A negotiable document may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the document, the bailee issuing it undertakes to deliver the goods to the order of such person, or if at the time of negotiation the document is in such form that it may be negotiated by delivery.

Who may negotiate a document.

SEC. 33. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN NEGOTIATED.—A person to whom a negotiable document of title has been duly negotiated acquires thereby—

Rights of person to whom document has been negotiated.

(a) Such title to the goods as the person negotiating the document to him had or had ability to convey to a purchaser in good faith for value and also such title to the goods as the person to whose order the goods were to be delivered by the terms of the document had or had ability to convey to a purchaser in good faith for value; and

(b) The direct obligation of the bailee issuing the document to hold possession of the goods for him according to the terms of the document as fully as if such bailee had contracted directly with him.

SEC. 34. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN TRANSFERRED.—A person to whom a document of title has been transferred, but not negotiated, acquires thereby, as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor.

Rights of person to whom document has been transferred.

If the document is nonnegotiable, such person also acquires the right to notify the bailee who issued the document of the transfer thereof, and thereby to acquire the direct obligation of such bailee to hold possession of the goods for him according to the terms of the document.

Prior to the notification of such bailee by the transferor or transferee of a nonnegotiable document of title, the title of the transferee to the goods and the right to acquire the obligation of such bailee may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to such bailee by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

SEC. 35. TRANSFER OF NEGOTIABLE DOCUMENT WITHOUT ENDORSEMENT.—Where a negotiable document of title is transferred for value by delivery, and the endorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to endorse the document unless a contrary intention appears. The negotiation shall take effect as of the time when the endorsement is actually made.

Transfer of negotiable document without endorsement.

Warranties on sale of document.

SEC. 36. **WARRANTIES ON SALE OF DOCUMENT.**—A person who for value negotiates or transfers a document of title by endorsement or delivery, including one who assigns for value a claim secured by a document of title unless a contrary intention appears, warrants:

- (a) That the document is genuine;
- (b) That he has a legal right to negotiate or transfer it;
- (c) That he has knowledge of no fact which would impair the validity or worth of the document; and
- (d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose, whenever such warranties would have been implied if the contract of the parties had been to transfer without a document of title the goods represented thereby.

Endorser not a guarantor.

SEC. 37. **ENDORSER NOT A GUARANTOR.**—The endorsement of a document of title shall not make the endorser liable for any failure on the part of the bailee who issued the document or previous endorser thereof to fulfill their respective obligations.

When negotiation not impaired by fraud, etc.

SEC. 38. **WHEN NEGOTIATION NOT IMPAIRED BY FRAUD, MISTAKE, OR DURESS.**—The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the document was deprived of the possession of the same by loss, theft, fraud, accident, mistake, duress, or conversion, if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor in good faith without notice of the breach of duty, or loss, theft, fraud, accident, mistake, duress, or conversion.

Attachment or levy upon goods for which a negotiable document has been issued.

SEC. 39. **ATTACHMENT OR LEVY UPON GOODS FOR WHICH A NEGOTIABLE DOCUMENT HAS BEEN ISSUED.**—If goods are delivered to a bailee by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner and a negotiable document of title is issued for them, they cannot thereafter, while in the possession of such bailee, be attached by garnishment or otherwise or be levied under an execution unless the document be first surrendered to the bailee or its negotiation enjoined. The bailee shall in no case be compelled to deliver up the actual possession of the goods until the document is surrendered to him or impounded by the court.

Creditors' remedies to reach negotiable documents.

SEC. 40. **CREDITORS' REMEDIES TO REACH NEGOTIABLE DOCUMENTS.**—A creditor whose debtor is the owner of a negotiable document of title shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such document or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

### Part III.

### PART III

Performance of the contract.

#### PERFORMANCE OF THE CONTRACT

Seller must deliver and buyer accept goods.

SEC. 41. **SELLER MUST DELIVER AND BUYER ACCEPT GOODS.**—It is the duty of the seller to deliver the goods, and of the buyer to accept and pay for them, in accordance with the terms of the contract to sell or sale.

Delivery and payment are concurrent conditions.

SEC. 42. **DELIVERY AND PAYMENT ARE CONCURRENT CONDITIONS.**—Unless otherwise agreed, delivery of the goods and payment of the price are concurrent conditions; that is to say, the seller must be ready and willing to give possession of the goods to the buyer in exchange for the price and the buyer must be ready and willing to pay the price in exchange for possession of the goods.

SEC. 43. PLACE, TIME, AND MANNER OF DELIVERY.—(1) Whether it is for the buyer to take possession of the goods or for the seller to send them to the buyer is a question depending in each case on the contract, express or implied, between the parties. Apart from any such contract, express or implied, or usage of trade to the contrary, the place of delivery is the seller's place of business if he have one, and if not his residence; but in case of a contract to sell or a sale of specific goods, which to the knowledge of the parties when the contract or the sale was made were in some other place, then that place is the place of delivery.

Place, time, and manner of delivery.

(2) Where by a contract to sell or a sale the seller is bound to send the goods to the buyer, but no time for sending them is fixed, the seller is bound to send them within a reasonable time.

(3) Where the goods at the time of sale are in the possession of a third person, the seller has not fulfilled his obligation to deliver to the buyer unless and until such third person acknowledges to the buyer that he holds the goods on the buyer's behalf; but as against all others than the seller the buyer shall be regarded as having received delivery from the time when such third person first has notice of the sale. Nothing in this section, however, shall affect the operation of the issue or transfer of any document of title to goods.

(4) Demand or tender of delivery may be treated as ineffectual unless made at a reasonable hour. What is a reasonable hour is a question of fact.

(5) Unless otherwise agreed, the expenses of and incidental to putting the goods into a deliverable state must be borne by the seller.

SEC. 44. DELIVERY OF WRONG QUANTITY.—(1) Where the seller delivers to the buyer a quantity of goods less than he contracted to sell, the buyer may reject them, but if the buyer accepts or retains the goods so delivered, knowing that the seller is not going to perform the contract in full, he must pay for them at the contract rate. If, however, the buyer has used or disposed of the goods delivered before he knows that the seller is not going to perform his contract in full, the buyer shall not be liable for more than the fair value to him of the goods so received.

Delivery of wrong quantity.

(2) Where the seller delivers to the buyer a quantity of goods larger than he contracted to sell, the buyer may accept the goods included in the contract and reject the rest, or he may reject the whole. If the buyer accepts the whole of the goods so delivered he must pay for them at the contract rate.

(3) Where the seller delivers to the buyer the goods he contracted to sell mixed with goods of a different description not included in the contract, the buyer may accept the goods which are in accordance with the contract and reject the rest, or he may reject the whole.

(4) The provisions of this section are subject to any usage of trade, special agreement, or course of dealing between the parties.

SEC. 45. DELIVERY IN INSTALLMENTS.—(1) Unless otherwise agreed, the buyer of goods is not bound to accept delivery thereof by installments.

Delivery in installments.

(2) Where there is a contract to sell goods to be delivered by stated installments, which are to be separately paid for, and the seller makes defective deliveries in respect of one or more installments, or the buyer neglects or refuses to make delivery of or pay for one or more installments, it depends in each case on the terms of the contract and the circumstances of the case, whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire



contract, or whether the breach is severable, giving rise to a claim for compensation but not to a right to treat the whole contract as broken.

Delivery to a carrier on behalf of the buyer.

SEC. 46. DELIVERY TO A CARRIER ON BEHALF OF THE BUYER.—(1) Where, in pursuance of a contract to sell or a sale, the seller is authorized or required to send the goods to the buyer, delivery of the goods to a carrier, whether named by the buyer or not, for the purpose of transmission to the buyer is deemed to be a delivery of the goods to the buyer, except in the cases provided for in section 19, rule 5, or unless a contrary intent appears.

(2) Unless otherwise authorized by the buyer, the seller must make such contract with the carrier on behalf of the buyer as may be reasonable, having regard to the nature of the goods and the other circumstances of the case. If the seller omit so to do, and the goods are lost or damaged in course of transit, the buyer may decline to treat the delivery to the carrier as a delivery to himself, or may hold the seller responsible in damages.

(3) Unless otherwise agreed, where goods are sent by the seller to the buyer under circumstances in which the seller knows or ought to know that it is usual to insure, the seller must give such notice to the buyer as may enable him to insure them during their transit, and, if the seller fails to do so, the goods shall be deemed to be at his risk during such transit.

Right to examine the goods.

SEC. 47. RIGHT TO EXAMINE THE GOODS.—(1) Where goods are delivered to the buyer which he has not previously examined, he is not deemed to have accepted them unless and until he has had a reasonable opportunity of examining them for the purpose of ascertaining whether they are in conformity with the contract.

(2) Unless otherwise agreed, when the seller tenders delivery of goods to the buyer, he is bound, on request, to afford the buyer a reasonable opportunity of examining the goods for the purpose of ascertaining whether they are in conformity with the contract.

(3) Where goods are delivered to a carrier by the seller, in accordance with an order from or agreement with the buyer, upon the terms that the goods shall not be delivered by the carrier to the buyer until he has paid the price, whether such terms are indicated by marking the goods with the words "collect on delivery", or otherwise, the buyer is not entitled to examine the goods before payment of the price in the absence of agreement permitting such examination.

What constitutes acceptance.

SEC. 48. WHAT CONSTITUTES ACCEPTANCE.—The buyer is deemed to have accepted the goods when he intimates to the seller that he has accepted them, or when the goods have been delivered to him, and he does any act in relation to them which is inconsistent with the ownership of the seller, or when, after the lapse of a reasonable time, he retains the goods without intimating to the seller that he has rejected them.

Acceptance does not bar action for damages.

SEC. 49. ACCEPTANCE DOES NOT BAR ACTION FOR DAMAGES.—In the absence of express or implied agreement of the parties, acceptance of the goods by the buyer shall not discharge the seller from liability in damages or other legal remedy for breach of any promise or warranty in the contract to sell or the sale. But, if, after acceptance of the goods, the buyer fail to give notice to the seller of the breach of any promise or warranty within a reasonable time after the buyer knows, or ought to know of such breach, the seller shall not be liable therefor.

Buyer is not bound to return goods wrongly delivered.

SEC. 50. BUYER IS NOT BOUND TO RETURN GOODS WRONGLY DELIVERED.—Unless otherwise agreed, where goods are delivered to the buyer, and he refused to accept them, having the right so to do, he

is not bound to return them to the seller, but it is sufficient if he notifies the seller that he refuses to accept them.

**SEC. 51. BUYER'S LIABILITY FOR FAILING TO ACCEPT DELIVERY.**—When the seller is ready and willing to deliver the goods, and requests the buyer to take delivery, and the buyer does not within a reasonable time after such request take delivery of the goods, he is liable to the seller for any loss occasioned by his neglect or refusal to take delivery, and also for a reasonable charge for the care and custody of the goods. If the neglect or refusal of the buyer to take delivery amounts to a repudiation or breach of the entire contract, the seller shall have the right against the goods and on the contract hereinafter provided in favor of the seller when the buyer is in default.

Buyer's liability for failing to accept delivery.

#### PART IV

Part IV.

##### RIGHTS OF UNPAID SELLER AGAINST THE GOODS

**SEC. 52. DEFINITION OF UNPAID SELLER.**—(1) The seller of goods is deemed to be an unpaid seller within the meaning of this Act—

Rights of unpaid seller against the goods.  
Definition of unpaid seller.

(a) When the whole of the price has not been paid or tendered.

(b) When a bill of exchange or other negotiable instrument has been received as conditional payment, and the condition on which it was received has been broken by reason of the dishonor of the instrument, the insolvency of the buyer, or otherwise.

(2) In this part of this Act the term "seller" includes an agent of the seller to whom the bill of lading has been endorsed, or a consignor or agent who has himself paid, or is directly responsible for, the price, or any other person who is in the position of a seller.

**SEC. 53. REMEDIES OF AN UNPAID SELLER.**—(1) Subject to the provisions of this Act, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of goods, as such has—

Remedies.

(a) A lien on the goods or right to retain them for the price while he is in possession of them;

(b) In case of insolvency of the buyer, the right of stopping the goods in transitu after he has parted with the possession of them;

(c) A right of resale as limited by this Act; and

(d) A right to rescind the sale as limited by this Act.

(2) Where the property in goods has not passed to the buyer, the unpaid seller has, in addition to his other remedies, a right of withholding delivery similar to and coextensive with his rights of lien and stoppage in transitu where the property has passed to the buyer.

##### UNPAID SELLER'S LIEN

Unpaid seller's lien.

**SEC. 54. WHEN RIGHT OF LIEN MAY BE EXERCISED.**—(1) Subject to the provisions of this Act, the unpaid seller of goods who is in possession of them is entitled to retain possession of them until payment or tender of the price in the following cases, namely—

When right of lien may be exercised.

(a) Where the goods have been sold without any stipulation as to credit;

(b) Where the goods have been sold on credit, but the term of credit has expired; and

(c) Where the buyer becomes insolvent.

(2) The seller may exercise his right of lien, notwithstanding that he is in possession of the goods as agent or bailee for the buyer.

**SEC. 55. LIEN AFTER PART DELIVERY.**—Where an unpaid seller has made part delivery of the goods, he may exercise his right of lien on the remainder, unless such part delivery has been made under such

Lien after part delivery.

circumstances as to show an intent to waive the lien or right of retention.

When lien is lost.

SEC. 56. WHEN LIEN IS LOST.—(1) The unpaid seller of goods loses his lien thereon—

(a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the property in the goods or the right to the possession thereof;

(b) When the buyer or his agent lawfully obtains possession of the goods; and

(c) By waiver thereof.

(2) The unpaid seller of goods, having a lien thereon, does not lose his lien by reason only that he has obtained judgment or decree for the price of the goods.

Stoppage in transit.

#### STOPPAGE IN TRANSIT

Seller may stop goods on buyer's insolvency.

SEC. 57. SELLER MAY STOP GOODS ON BUYER'S INSOLVENCY.—Subject to the provisions of this Act, when the buyer of goods is or becomes insolvent, the unpaid seller who has parted with the possession of the goods has the right of stopping them in transitu; that is to say, he may resume possession of the goods at any time while they are in transit, and he will then become entitled to the same rights in regard to the goods as he would have had if he had never parted with the possession.

When goods are in transit.

SEC. 58. WHEN GOODS ARE IN TRANSIT.—(1) Goods are in transit within the meaning of section 57—

(a) From the time when they are delivered to a carrier by land or water, or other bailee for the purpose of transmission to the buyer, until the buyer, or his agent in that behalf, takes delivery of them from such carrier or other bailee; and

(b) If the goods are rejected by the buyer, and the carrier or other bailee continues in possession of them, even if the seller has refused to receive them back.

When no longer in transit.

(2) Goods are no longer in transit within the meaning of section 57—

(a) If the buyer, or his agent in that behalf, obtains delivery of the goods before their arrival at the appointed destination;

(b) If, after the arrival of the goods at the appointed destination, the carrier or other bailee acknowledges to the buyer or his agent that he holds the goods on his behalf and continues in possession of them as bailee for the buyer or his agent; and it is immaterial that a further destination for the goods may have been indicated by the buyer; and

(c) If the carrier or other bailee wrongfully refuses to deliver the goods to the buyer or his agent in that behalf.

Delivery to chartered ship.

(3) If goods are delivered to a ship chartered by the buyer, it is a question depending on the circumstances of the particular case, whether they are in the possession of the master as a carrier or as agent of the buyer.

Part delivery.

(4) If part delivery of the goods has been made to the buyer, or his agent in that behalf, the remainder of the goods may be stopped in transitu, unless such part delivery has been made under such circumstances as to show an agreement with the buyer to give up possession of the whole of the goods.

Ways of exercising right to stop.

SEC. 59. WAYS OF EXERCISING THE RIGHT TO STOP.—(1) The unpaid seller may exercise his right of stoppage in transitu either by obtaining actual possession of the goods or by giving notice of his claim to the carrier or other bailee in whose possession the goods are. Such notice may be given either to the person in actual possession of the

goods or to his principal. In the latter case the notice, to be effectual, must be given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may prevent a delivery to the buyer.

(2) When notice of stoppage in transitu is given by the seller to the carrier, or other bailee in possession of the goods, he must redeliver the goods to, or according to the directions of, the seller. The expenses of such delivery must be borne by the seller. If, however, a negotiable document of title representing the goods has been issued by the carrier or other bailee, he shall not be obliged to deliver or justified in delivering the goods to the seller unless such document is first surrendered for cancellation.

#### RESALE BY THE SELLER

Resale by seller.

SEC. 60. WHEN AND HOW RESALE MAY BE MADE.—(1) Where the goods are of perishable nature, or where the seller expressly reserves the right of resale in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time, an unpaid seller having a right of lien or having stopped the goods in transitu may resell the goods. He shall not thereafter be liable to the original buyer upon the contract to sell or the sale or for any profit made by such resale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

When and how resale may be made.

(2) Where a resale is made, as authorized in this section, the buyer acquires a good title as against the original buyer.

(3) It is not essential to the validity of a resale that notice of an intention to resell the goods be given by the seller to the original buyer. But where the right to resell is not based on the perishable nature of the goods or upon an express provision of the contract or the sale, the giving or failure to give such notice shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the resale was made.

(4) It is not essential to the validity of a resale that notice of the time and place of such resale should be given by the seller to the original buyer.

(5) The seller is bound to exercise reasonable care and judgment in making a resale, and subject to this requirement may make a resale either by public or private sale.

#### RESCISSION BY THE SELLER

Rescission by seller.

SEC. 61. WHEN AND HOW THE SELLER MAY RESCIND THE SALE.—(1) An unpaid seller having the right of lien or having stopped the goods in transitu, may rescind the transfer of title and resume the property in the goods, where he expressly reserved the right to do so in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time. The seller shall not thereafter be liable to the buyer upon the contract to sell or the sale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

When and how seller may rescind the sale.

(2) The transfer of title shall not be held to have been rescinded by an unpaid seller until he has manifested by notice to the buyer or by some other overt act an intention to rescind. It is not necessary that such overt act should be communicated to the buyer, but the giving or failure to give notice to the buyer of the intention to rescind shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the right of rescission was asserted.

Notice, etc., of intention to rescind.

Effect of sale of  
goods subject to lien  
or stoppage in transitu.

SEC. 62. EFFECT OF SALE OF GOODS SUBJECT TO LIEN OR STOPPAGE IN TRANSITU.—Subject to the provisions of this Act, the unpaid seller's right of lien or stoppage in transitu is not affected by any sale, or other disposition of the goods which the buyer may have made, unless the seller has assented thereto.

If, however, a negotiable document of title has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the right of any purchaser for value in good faith to whom such document has been negotiated, whether such negotiations be prior or subsequent to the notification to the carrier, or other bailee who issued such document, of the seller's claim to a lien or right of stoppage in transitu.

#### Part V.

#### PART V

Action for breach of  
the contract; remedies  
of the seller.  
Action for the price.

#### ACTION FOR BREACH OF THE CONTRACT; REMEDIES OF THE SELLER

SEC. 63. ACTION FOR THE PRICE.—(1) Where, under a contract to sell or a sale, the property in the goods has passed to the buyer, and the buyer wrongfully neglects or refuses to pay for the goods according to the terms of the contract or the sale, the seller may maintain an action against him for the price of the goods.

(2) Where, under a contract to sell or a sale, the price is payable on a day certain, irrespective of delivery or of transfer of title, and the buyer wrongfully neglects or refuses to pay such price, the seller may maintain an action for the price, although the property in the goods has not passed, and the goods have not been appropriated to the contract. But it shall be a defense to such an action that the seller at any time before judgment in such action has manifested an inability to perform the contract or the sale on his part or an intention not to perform it.

(3) Although the property in the goods has not passed, if they cannot readily be resold for a reasonable price, and if the provisions of section 64 (4) are not applicable, the seller may offer to deliver the goods to the buyer, and, if the buyer refuses to receive them, may notify the buyer that the goods are thereafter held by the seller as bailee for the buyer. Thereafter the seller may treat the goods as the buyer's and may maintain an action for the price.

Action for damages  
for nonacceptance of  
the goods.

SEC. 64. ACTION FOR DAMAGES FOR NONACCEPTANCE OF THE GOODS.—(1) Where the buyer wrongfully neglects or refuses to accept and pay for the goods, the seller may maintain an action against him for damages for nonacceptance.

(2) The measure of damages is the estimated loss directly and naturally resulting, in the ordinary course of events, from the buyer's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages is, in the absence of special circumstances, showing proximate damage of a greater amount, the difference between the contract price and the market or current price at the time or times when the goods ought to have been accepted, or, if no time was fixed for acceptance, then at the time of the refusal to accept.

(4) If, while labor or expense of material amount are necessary on the part of the seller to enable him to fulfill his obligations under the contract to sell or the sale, the buyer repudiates the contract or the sale, or notifies the seller to proceed no further therewith, the buyer shall be liable to the seller for no greater damages than the seller would have suffered if he did nothing toward carrying out the contract or the sale after receiving notice of the buyer's repudiation or countermand. The profit the seller would have made if the contract or the sale had been fully performed shall be considered in estimating such damages.

**SEC. 65. WHEN SELLER MAY RESCIND CONTRACT OR SALE.**—Where the goods have not been delivered to the buyer, and the buyer has repudiated the contract to sell or sale, or has manifested his inability to perform his obligations thereunder, or has committed a material breach thereof, the seller may totally rescind the contract or the sale by giving notice of his election so to do to the buyer.

When seller may rescind contract or sale.

#### REMEDIES OF THE BUYER

Remedies of the buyer.

**SEC. 66. ACTION FOR CONVERTING OR DETAINING GOODS.**—Where the property in the goods has passed to the buyer and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain any action allowed by law to the owner of goods of similar kind when wrongfully converted or withheld.

Action for converting or detaining goods.

**SEC. 67. ACTION FOR FAILING TO DELIVER GOODS.**—(1) Where the property in the goods has not passed to the buyer, and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain an action against the seller for damages for nondelivery. (2) The measure of damages is the loss directly and naturally resulting in the ordinary course of events, from the seller's breach of contract.

Action for failing to deliver goods.

(3) Where there is an available market for the goods in question, the measure of damages, in the absence of special circumstances showing proximate damages of a greater amount, is the difference between the contract price and the market or current price of the goods at the time or times when they ought to have been delivered or if no time was fixed, then at the time of the refusal to deliver.

**SEC. 68. SPECIFIC PERFORMANCE.**—Where the seller has broken a contract to deliver specific or ascertained goods, a court having the powers of a court of equity may, if it thinks fit, on the application of the buyer, by its judgment or decree direct that the contract shall be performed specifically, without giving the seller the option of retaining the goods on payment of damages. The judgment or decree may be unconditional or upon such terms and conditions as to damages, payment of the price, and otherwise, as to the court may seem just.

Specific performance.

**SEC. 69. REMEDIES FOR BREACH OF WARRANTY.**—(1) Where there is a breach of warranty by the seller, the buyer may, at his election—

Remedies for breach of warranty.

(a) Accept or keep the goods and set up against the seller the breach of warranty by way of recoupment in diminution or extinction of the price;

(b) Accept or keep the goods and maintain an action against the seller for damages for the breach of warranty;

(c) Refuse to accept the goods, if the property therein has not passed, and maintain an action against the seller for damages for the breach of warranty; and

(d) Rescind the contract to sell, or the sale, and refuse to receive the goods; or if the goods have already been received return them or offer to return them to the seller and recover the price or any part thereof which has been paid.

(2) When the buyer has claimed and has been granted a remedy in any one of these ways, no other remedy can thereafter be granted.

(3) Where the goods have been delivered to the buyer, he cannot rescind the sale if he knew of the breach of warranty when he accepted the goods, or if he fails to notify the seller within a reasonable time of the election to rescind, or if he fails to return or to offer to return the goods to the seller in substantially as good condition as they were in at the time the property was transferred to the buyer. But if deterioration or injury of the goods is due to the breach of

warranty, such deterioration or injury shall not prevent the buyer from returning or offering to return the goods to the seller and rescinding the sale.

(4) Where the buyer is entitled to rescind the sale and elects to do so, the buyer shall cease to be liable for the price upon returning or offering to return the goods. If the price or any part thereof has already been paid, the seller shall be liable to repay so much thereof as has been paid, concurrently with the return of the goods, or immediately after an offer to return the goods in exchange for repayment of the price.

(5) Where the buyer is entitled to rescind the sale and elects to do so, if the seller refuses to accept an offer of the buyer to return the goods, the buyer shall thereafter be deemed to hold the goods as bailee for the seller, but subject to a lien to secure the repayment of any portion of the price which has been paid, and with the remedies for the enforcement of such lien allowed to an unpaid seller by section 53.

(6) The measure of damages for breach of warranty is the loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty.

(7) In the case of breach of warranty of quality, such loss, in the absence of special circumstances showing proximate damage of a greater amount, is the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had answered to the warranty.

*Ante*, p. 41.

Interest and special damages.

SEC. 70. INTEREST AND SPECIAL DAMAGES.—Nothing in this Act shall affect the right of the buyer or the seller to recover interest or special damages in any case where by law interest or special damages may be recoverable, or to recover money paid where the consideration for the payment of it has failed.

## Part VI.

## PART VI

### Interpretation.

### INTERPRETATION

Variation of implied obligations.

SEC. 71. VARIATION OF IMPLIED OBLIGATIONS.—Where any right, duty, or liability would arise under a contract to sell or a sale by implication of law, it may be negatived or varied by express agreement or by the course of dealing between the parties, or by custom, if the custom be such as to bind both parties to the contract or the sale.

Rights may be enforced by action.

SEC. 72. RIGHTS MAY BE ENFORCED BY ACTION.—Where any right, duty, or liability is declared by this Act, it may, unless otherwise by this Act provided, be enforced by action.

Rule for cases not herein provided for.

SEC. 73. RULE FOR CASES NOT PROVIDED FOR BY THIS ACT.—In any case not provided for in this Act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to contracts to sell and to sales of goods.

Interpretation, effect.

SEC. 74. INTERPRETATION SHALL GIVE EFFECT TO PURPOSE OF UNIFORMITY.—This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those States which enact it.

Provisions not applicable to mortgages.

SEC. 75. PROVISIONS NOT APPLICABLE TO MORTGAGES.—The provisions of this Act relating to contracts to sell and to sales do not apply, unless so stated, to any transaction in the form of a contract to sell or a sale which is intended to operate by way of mortgage, pledge, charge, or other security.

SEC. 76. DEFINITIONS.—(1) In this Act, unless the context or subject matter otherwise requires—

“Action” includes counterclaim, set-off, and suit in equity.

“Buyer” means a person who buys or agrees to buy goods or any legal successor in interest of such person.

“Defendant” includes a plaintiff against whom a right of set-off or counterclaim is asserted.

“Delivery” means voluntary transfer of possession from one person to another.

“Divisible contract to sell or sale” means a contract to sell or a sale in which by its term the price for a portion or portions of the goods less than the whole is fixed or ascertainable by computation.

“Document of title to goods” includes any bill of lading, dock warrant, warehouse receipt or order for the delivery of goods, or any other document used in the ordinary course of business in the sale or transfer of goods, as proof of the possession or control of the goods, or authorizing or purporting to authorize the possessor of the document to transfer or receive, either by endorsement or by delivery, goods represented by such document.

“Fault” means wrongful act or default.

“Fungible goods” means goods of which any unit is from its nature or by mercantile usage treated as the equivalent of any other unit.

“Future goods” means goods to be manufactured or acquired by the seller after the making of the contract of sale.

“Goods” include all chattels personal other than things in action and money. The term includes emblements, industrial growing crops, and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.

“Order” in sections of this Act relating to documents of title means an order by endorsement on the documents.

“Person” includes a corporation or partnership or two or more persons having a joint or common interest.

“Plaintiff” includes defendant asserting a right of set-off or counterclaim.

“Property” means the general property in goods, and not merely a special property.

“Purchaser” includes mortgagee and pledgee.

“Purchases” includes taking as a mortgagee or as a pledgee.

“Quality of goods” includes their state or condition.

“Sale” includes a bargain and sale as well as a sale and delivery.

“Seller” means a person who sells or agrees to sell goods, or any legal successor in the interest of such person.

“Specific goods” means goods identified and agreed upon at the time a contract to sell or a sale is made.

“Value” is any consideration sufficient to support a simple contract. An antecedent or preexisting claim, whether for money or not, constitutes value where goods or documents of titles are taken either in satisfaction thereof or as security therefor.

(2) A thing is done “in good faith” within the meaning of this Act when it is in fact done honestly, whether it be done negligently or not.

(3) A person is insolvent within the meaning of this Act who either has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due, whether he has committed an act of bankruptcy or not, and whether he is insolvent within the meaning of the Federal bankruptcy law or not.

(4) Goods are in a “deliverable state” within the meaning of this Act when they are in such a state that the buyer would, under the contract, be bound to take delivery of them.



Act not applicable to existing sales or contracts to sell.

Inconsistent legislation repealed.

Effective date.

Name of Act.

SEC. 76a. ACT DOES NOT APPLY TO THE EXISTING SALES OR CONTRACTS TO SELL.—None of the provisions of this Act shall apply to any sale, or to any contract to sell, made prior to the taking effect of this Act.

SEC. 77. INCONSISTENT LEGISLATION REPEALED.—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

SEC. 78. TIME WHEN THE ACT TAKES EFFECT.—This Act shall take effect on the 1st day of July, 1937.

SEC. 79. NAME OF ACT.—This Act may be cited as the "Uniform Sales Act".

Approved, March 17, 1937.

#### [CHAPTER 46]

#### AN ACT

March 24, 1937  
[S. 361]  
[Public, No. 22]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

Missouri River.  
Time extended for  
bridging, at Garrison,  
N. Dak.

47 Stat. 43, 804; 48  
Stat. 946; 49 Stat. 288,  
1476.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, North Dakota, authorized to be built by the State of North Dakota, by the Acts<sup>1</sup> of Congress approved February 10, 1932, and heretofore extended by Acts of Congress approved February 14, 1933, and June 12, 1934, May 24, 1935, and June 5, 1936, are hereby further extended one and three years, respectively, from June 12, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 24, 1937.

#### [CHAPTER 47]

#### AN ACT

March 24, 1937  
[S. 996]  
[Public, No. 23]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebraska, and Onawa, Iowa.

Missouri River.  
Time extended for  
bridging, Decatur,  
Nebr., to Onawa,  
Iowa.

49 Stat. 1072, 1530.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Missouri River, between the towns of Decatur, Nebraska, and Onawa, Iowa, authorized to be built by the county of Burt, State of Nebraska, by section 29 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby further extended one and three years, respectively, from August 30, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 24, 1937.

#### [CHAPTER 48]

#### AN ACT

March 24, 1937  
[S. 997]  
[Public, No. 24]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa.

Missouri River.  
Time extended for  
bridging, South Sioux  
City, Nebr., to Sioux  
City, Iowa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the bridge across the Missouri River, at or near the cities of South Sioux City,

<sup>1</sup> So in original.

Nebraska, and Sioux City, Iowa, authorized to be built by the county of Dakota, State of Nebraska, by section 30 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby further extended one and three years, respectively, from August 30, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 24, 1937.

## [CHAPTER 49]

### AN ACT

To amend section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. II, title 46, sec. 643).

March 24, 1937  
[H. R. 5487]  
[Public, No. 25]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. II, title 46, sec. 643), is amended to read as follows:

"SEC. 4551. (a) Every seaman upon a merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be furnished, at the option of the seaman, with a book to be known as a continuous discharge book or with a certificate of identification, which book or certificate shall be retained by the seaman and shall contain the signature of the seaman to whom it is so furnished and a statement of his nationality, age, personal description, photograph, thumbprint, and home address. Such books or certificates shall be issued by the shipping commissioners, or, at ports where no shipping commissioners have been appointed, by collectors or deputy collectors of customs or United States local inspectors of steam vessels, in such manner and form as the Director of the Bureau of Marine Inspection and Navigation, subject to the approval of the Secretary of Commerce, shall determine. Any individual, firm, partnership, corporation, or association which shall issue any such book or certificate, or make any statement or endorsement therein, except as authorized by the provisions of this section, or issue any imitation of any such book or certificate, shall be deemed guilty of a misdemeanor and shall be imprisoned not less than one month nor more than three months, in the discretion of the court.

"(b) Any person applying for such book or certificate and claiming to be a citizen of the United States shall furnish satisfactory evidence of such citizenship.

"(c) No seaman shall be employed on any vessel to which this section applies until he has exhibited a certificate of identification or a continuous discharge book to the shipping commissioner, or in cases where seamen are not signed on before the shipping commissioner, to the master of the vessel: *Provided*, That the provisions of this subsection shall not apply to the employment of seamen at a foreign port or place, in which case seamen so employed shall be furnished a continuous discharge book or a certificate of identification, in accordance with the provisions of subsection (a) of this section, at the first port of entry in the United States or its territories at which the vessel arrives after such seamen are so employed.

"(d) Upon the discharge of any seaman and the payment of his wages, the shipping commissioner shall enter in the continuous discharge book of such seaman, if the seaman carries such a book, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel

49 Stat. 1073, 1530.

Amendment.

Merchant seamen.  
R. S. § 4551.  
46 U. S. C., Supp. II,  
§ 643.

Continuous discharge book or certificate of identification.

Contents.

Issuance by shipping commissioners, etc.

Unauthorized entries, etc.

Penalty.

Citizenship requirements.

Employment without certificate, etc., forbidden.

*Proviso.*  
Foreign ports; requirement.

Entry on seaman's discharge.

Data required.

belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, the rating (capacity in which employed) then held by such seaman, and the signature of the person making such entries and nothing more.

Certificate of discharge.

"(e) For the purpose of furnishing evidence of sea service in the case of seamen preferring the certificate of identification instead of the continuous discharge book, the Bureau of Marine Inspection and Navigation shall provide a certificate of discharge, printed on durable paper, in such form as to specify the name and citizenship of the seaman to whom it is issued, the serial number of his certificate of identification, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating (capacity in which employed) then held by such seaman. Records of service entered in either continuous discharge books or certificates of discharge shall contain no reference to the character or ability of the seaman. The shipping commissioner shall issue such certificate of discharge and make the proper entries therein, which certificate shall be signed by the seaman to whom it is issued and the master of the vessel and shall be witnessed by such shipping commissioner.

Records of service to contain no reference to character or ability of seaman.

Bureau of Marine Inspection and Navigation; records to be kept by.

"(f) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington, District of Columbia, a record of every continuous discharge book, certificate of identification, certificate of discharge, and any other certificate issued by the Bureau of Marine Inspection and Navigation, together with the name and address of the seaman to whom it is issued and of his next of kin, and certified copies of all entries made in continuous discharge books or certificates of discharge, which entries shall be forwarded to the Bureau by the shipping commissioner or other person making such entries in accordance with the provisions of this section. Records so maintained shall not be open for general or public use or inspection.

Not open for public inspection.

Unlawful acts.

"(g) Any person, partnership, company, or corporation who shall require any seaman employed or applying for employment to possess, produce, or carry a continuous discharge book, if and when such seaman possesses or carries an identification certificate, or to carry an identification certificate, if and when such seaman possesses and carries a continuous discharge book, or who shall exchange or give to any other person, partnership, company, or corporation information to cause discrimination against a seaman for electing to carry either an identification certificate or a continuous discharge book, or to prevent a seaman from obtaining employment on that account, shall be deemed guilty of a misdemeanor; and, on conviction thereof, shall be punishable by a fine of not more than \$1,000 or imprisonment for not more than one year, at the discretion of the court.

Penalty.

False statements.

"Seamen shall apply for certificates of identification or continuous discharge books hereunder; and if any application contains any statement known by the applicant to be false, he shall be deemed guilty of a misdemeanor and, on conviction thereof before any district court of the United States, shall be fined not more than \$1,000 or imprisoned for not more than one year, in the discretion of the court.

Issuance of duplicate in case of loss.

"(h) In case of the loss of a continuous discharge book, a certificate of identification, or of any certificate of discharge by shipwreck or other casualty, the seaman shall be supplied with a duplicate of such continuous discharge book, certificate of identification, or certificate of discharge in which shall be entered all data that may be

available from the copies of records kept by the Bureau of Marine Inspection and Navigation. In other cases of loss the seaman may obtain a duplicate of such continuous discharge book, certificate of identification, or certificates of discharge, containing the same entries, upon a payment of a sum equivalent to the cost thereof to the Government to be determined from time to time by the Secretary of Commerce.

“(i) The provisions of this section shall not apply to fishing or whaling vessels or yachts.

“(j) The Secretary of Commerce shall enforce this section as to all vessels of the United States subject to the provisions hereof through collectors of customs and other Government officers acting under the direction of the Bureau of Marine Inspection and Navigation, and shall make such rules and regulations as he may deem necessary to carry out the provisions of this section.

“(k) Where vessels are required to sign on and discharge the crew before a shipping commissioner and no shipping commissioner is appointed or is available the functions and duties required by subsections (d) and (e) of this section to be performed by such shipping commissioner may be performed by a collector or deputy collector of customs; and where vessels are not required to sign on and discharge the crew before a shipping commissioner the duties and functions required by subsections (d) and (e) of this section to be performed by the shipping commissioner shall be performed by the master of such vessel. Any master who shall fail to perform such duties or functions shall be fined in the sum of \$50 for each offense.”

SEC. 2. This Act shall take effect as to vessels within the provisions of section 4551 of the Revised Statutes, as amended, as follows: (a) Upon its enactment in the case of such vessels engaged in foreign or intercoastal voyages, and (b) on June 25, 1937, in the case of all other such vessels: *Provided, That*, until June 25, 1937, the Secretary of Commerce is hereby authorized, pending the issuance of permanent certificates of identification and permanent certificates of discharge under such section, to provide for temporary certificates of identification and temporary certificates of discharge, which shall have the same force and effect as the permanent certificates.

Approved, March 24, 1937.

Exemptions.

Administrative provisions.

Effective dates.

Proviso. Temporary certificates.

## [CHAPTER 50]

### JOINT RESOLUTION

Providing for the construction and maintenance of a National Gallery of Art.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the area bounded by Seventh Street, Constitution Avenue, Fourth Street, and North Mall Drive, Northwest, in the District of Columbia, is hereby appropriated to the Smithsonian Institution as a site for a National Gallery of Art. The Smithsonian Institution is authorized to permit the A. W. Mellon Educational and Charitable Trust (hereinafter referred to as the donor) to construct on said site for the Smithsonian Institution a building to be designated the National Gallery of Art, and to remove any existing structure and landscape the grounds within said area. The adjoining area bounded by Fourth Street, Pennsylvania Avenue, Third Street, and North Mall Drive, Northwest, in the District of Columbia, is hereby reserved as a site

March 24, 1937  
[H. J. Res. 217]  
[Pub. Res., No. 14]

National Gallery of Art. Site.

Construction; donor.

Future additions.

Approval of plans,  
etc.

Trustees of the Na-  
tional Gallery of Art.

Duty, functions, etc.

Composition.

Ineligibility of Fed-  
eral officers, etc.

General trustees; ap-  
pointment, terms, etc.

Successors; filling of  
vacancies.

Acceptance, etc., of  
gift from donor.

Funds pledged for  
upkeep, etc.

Exhibit open to  
public.

Appropriations au-  
thorized.

Acceptance of gifts,  
etc.

Administration of  
trust funds.

Officers and em-  
ployees.  
Appointment, pay,  
etc.

for future additions to the National Gallery of Art. The project shall be in accordance with plans and specifications approved by the Commission of Fine Arts.

SEC. 2. (a) There is hereby established in the Smithsonian Institution a bureau, which shall be directed by a board to be known as the Trustees of the National Gallery of Art, whose duty it shall be to maintain and administer the National Gallery of Art and site thereof and to execute such other functions as are vested in the board by this Act. The board shall be composed as follows: The Chief Justice of the United States, the Secretary of State, the Secretary of the Treasury, and the Secretary of the Smithsonian Institution, ex officio; and five general trustees who shall be citizens of the United States, to be chosen as hereinafter provided. No officer or employee of the Federal Government shall be eligible to be chosen as a general trustee.

(b) The general trustees first taking office shall be chosen by the Board of Regents of the Smithsonian Institution, subject to the approval of the donor, and shall have terms expiring one each on July 1 of 1939, 1941, 1943, 1945, and 1947, as designated by the Board of Regents. A successor shall be chosen by a majority vote of the general trustees and shall have a term expiring ten years from the date of the expiration of the term for which his predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of such term shall be chosen only for the remainder of such term.

SEC. 3. Upon completion of the National Gallery of Art, the board shall accept for the Smithsonian Institution as a gift from the donor a collection of works of art which shall be housed and exhibited in the National Gallery of Art.

SEC. 4. (a) The faith of the United States is pledged that, on completion of the National Gallery of Art by the donor in accordance with the terms of this Act and the acquisition from the donor of the collection of works of art, the United States will provide such funds as may be necessary for the upkeep of the National Gallery of Art and the administrative expenses and costs of operation thereof, including the protection and care of works of art acquired by the board, so that the National Gallery of Art shall be at all times properly maintained and the works of art contained therein shall be exhibited regularly to the general public free of charge. For these purposes there are hereby authorized to be appropriated such sums as may be necessary.

(b) The board is authorized to accept for the Smithsonian Institution and to hold and administer gifts, bequests, or devises of money, securities, or other property of whatsoever character for the benefit of the National Gallery of Art. Unless otherwise restricted by the terms of the gift, bequest, or devise, the board is authorized to sell or exchange and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property composing trust funds given, bequeathed, or devised to or for the benefit of the National Gallery of Art. The income as and when collected shall be placed in such depositories as the board shall determine and shall be subject to expenditure by the board.

(c) The board shall appoint and fix the compensation and duties of a director, an assistant director, a secretary, and a chief curator of the National Gallery of Art, and of such other officers and employees of the National Gallery of Art as may be necessary for

the efficient administration of the functions of the board. Such director, assistant director, secretary, and chief curator shall be compensated from trust funds available to the board for the purpose, and their appointment and salaries shall not be subject to the civil-service laws or the Classification Act of 1923, as amended. The director, assistant director, secretary, and chief curator shall be well qualified by experience and training to perform the duties of their office and the original appointment to each such office shall be subject to the approval of the donor.

(d) The actions of the board, including any payment made or directed to be made by it from any trust funds, shall not be subject to review by any officer or agency other than a court of law.

SEC. 5. (a) The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the acquisition, exhibition, and loan of works of art, the administration of its trust funds, and the organization and procedure of the board. The board may function notwithstanding vacancies, and three members of the board shall constitute a quorum for the transaction of business.

(b) In order that the collection of the National Gallery of Art shall always be maintained at a high standard and in order to prevent the introduction therein of inferior works of art, no work of art shall be included in the permanent collection of the National Gallery of Art unless it be of similar high standard of quality to those in the collection acquired from the donor.

(c) The board shall have all the usual powers and obligations of a trustee in respect of all trust funds administered by it and all works of art acquired by it.

(d) The board shall submit to the Smithsonian Institution an annual report of its operations under this Act, including a detailed statement of all acquisitions and loans of works of art and of all public and private moneys received and disbursed.

SEC. 6. (a) The Commissioners of the District of Columbia are hereby authorized and directed to close Sixth Street, Northwest, within the boundaries of the site for the National Gallery of Art. The National Capital Park and Planning Commission shall determine the building lines and approve the plan of approaches for said gallery, and shall also make recommendations for the widening and adjustment of Third, Seventh, Ninth, and such other streets in the vicinity as may be necessary and desirable to provide for the traffic which would otherwise use Sixth Street.

(b) Section 10 of the Public Building Act, approved March 4, 1913 (37 Stat. L., p. 881), relating to the George Washington Memorial Building, and all provisions of law amendatory thereof, are hereby repealed.

(c) The existing bureau of the Smithsonian Institution now designated as a national gallery of art shall hereafter be known as the National Collection of Fine Arts.

(d) The fifth paragraph under the heading "Smithsonian Institution" in the Independent Offices Appropriation Act for the fiscal year 1924, approved February 13, 1923 (42 Stat. L. 1235), relating to the erection of a national gallery of art, is hereby repealed.

Approved, March 24, 1937.

Compensation payable from trust funds.

Qualifications.

Review of board actions.

Powers of board.

Maintenance of high standard of collection.

Powers and obligations as trustee of trust funds.

Annual report of board.

Sixth Street, Northwest, to be closed within limits of site.

Building lines, approaches, etc.

George Washington Memorial Building. Provisions for erection of, repealed. 37 Stat. 881.

Designation of present national gallery of art changed.

Existing construction provisions repealed. 42 Stat. 1235.

## [CHAPTER 51]

## JOINT RESOLUTION

March 24, 1937  
[H. J. Res. 272]  
[Pub. Res., No. 15]

To authorize the Administrator of Veterans' Affairs to accept title for the United States to certain real property to be donated by Mr. Henry Ford and wife for Veterans' Administration facility purposes.

Henry Ford and wife.  
Acceptance of certain real property donated by, authorized.

Use as a Veterans' Administration facility.

Reversionary provision.

Description.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to accept on behalf of the United States title to a triangular tract of land bounded by Southfield Road, Snow or Pepper Road and Outer Drive, in Ecorse Township, Wayne County, State of Michigan, containing approximately thirty-eight acres, to be donated by Mr. Henry Ford and Clara J. Ford, his wife, upon the condition that such property be used for the purpose of constructing, operating, and maintaining what is now designated as a Veterans' Administration facility or which may hereafter be so designated or similarly designated by or in accordance with law, which may include domiciliary, hospital, regional office, and such other activities essential to the functioning of the facility, and when no longer used for this purpose the property donated to revert to the grantors, their heirs, executors or assigns, the said tract of land being described as follows:

Lands lying in private claim 31, Ecorse Township, Wayne County, Michigan, and described more particularly as follows:

Commencing at the point of intersection of the easterly line of Southfield (formerly known as Town Line) Road, of two hundred and four foot width and the northerly line of Outer Drive of one hundred and fifty foot width; thence easterly along the northerly line of said Outer Drive one hundred and ninety-three and forty-eight one-hundredths feet along the arc of a curve of radius two hundred and seventy-four and twenty one-hundredths feet to a point which is south seventy-eight degrees nineteen minutes thirty seconds east one hundred and eighty-nine and forty-five one-hundredths feet from the last previously mentioned point; thence north eighty-one degrees twenty-seven minutes fifty seconds east one thousand seven hundred and ninety and sixty-four one-hundredths feet along the said northerly line of Outer Drive; thence easterly one hundred and fifty-six and eighty-nine one-hundredths feet measured along the arc of a curve of five hundred and seventy-five and fifty-four one-hundredths feet radius to a point on the center line of Snow (formerly Pepper) Road, which bears north eighty-nine degrees sixteen minutes twenty seconds east one hundred and fifty-six and fourteen one-hundredths feet from the last previously mentioned point; thence northwesterly along the center line of said Snow Road, north thirty-seven degrees four minutes no seconds west one thousand five hundred and sixty-six and ninety-six one-hundredths feet and north twenty-seven degrees three minutes ten seconds west two hundred and fifty-three and sixty one-hundredths feet to the point of intersection with the said easterly line of Southfield Road; thence southerly along the said easterly line of Southfield Road south thirty-one degrees forty-four minutes no seconds west two thousand and three and sixty-nine one-hundredths feet to the point of commencement, containing thirty-eight and nine hundred and thirty one-thousandths<sup>1</sup> acres, more or less.

Approved, March 24, 1937.

<sup>1</sup> So in original.

## [CHAPTER 53]

## JOINT RESOLUTION

To permit articles imported from foreign countries for the purpose of exhibition at the Greater Texas and Pan-American Exposition, Dallas, Texas, to be admitted without payment of tariff, and for other purposes.

March 27, 1937  
[H. J. Res. 221]  
[Pub. Res., No. 16]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at Dallas, Texas, beginning in June 1937, by the Greater Texas and Pan-American Exposition, a corporation, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Greater Texas and Pan-American Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the Greater Texas and Pan-American Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Approved, March 27, 1937.

Greater Texas and Pan-American Exposition, Dallas, Tex.  
Dutiable articles, imported for exhibition purposes, etc., admitted free, under regulations.  
*Post*, p. 58.

Sales permitted.

*Provisos.*  
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Articles abandoned.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of, as refunds.  
46 Stat. 741.  
19 U. S. C. § 1524.



## [CHAPTER 58]

## AN ACT

To amend section 318 of the Communications Act of 1934.

March 29, 1937

[H. R. 3898]

[Public, No. 26]

Communications  
Act of 1934, amend-  
ment.

48 Stat. 1089.

47 U. S. C. § 318.

Operation of trans-  
mitting apparatus.  
Requirement.

Provisos.

Exceptions.

Automatic radio de-  
vices, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"SEC. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however*, That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles: *Provided further*, That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

Approved, March 29, 1937.

## [CHAPTER 59]

## JOINT RESOLUTION

March 29, 1937

[H. J. Res. 43]

[Pub. Res., No. 17]

Alameda, Calif.  
Act authorizing ac-  
quisition of certain  
lands in, amended.  
49 Stat. 1901.

To amend Public Law Numbered 780, Seventy-fourth Congress, to authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon, for the purpose of making a correction therein.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of Public Law Numbered 780, entitled "An Act to authorize the construction of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon", approved June 24, 1936, is amended by inserting after the words "free from all", before the colon and preceding the proviso, the word "encumbrances".

Approved, March 29, 1937.

## [CHAPTER 60]

## JOINT RESOLUTION

March 29, 1937

[H. J. Res. 131]

[Pub. Res., No. 18]

District of Colum-  
bia.  
Certain Govern-  
ment and District em-  
ployees to receive pay  
for January 20, 1937.  
25 Stat. 185.

For the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for January 20, 1937.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the employees of the United States Government in the District of Columbia and the employees of the District of Columbia who come within the provisions of the Act approved June 18, 1888, and who, under the provisions of said Act, did not work on Wednesday, January 20, 1937, due to the closing of their places of employment on account of the holiday, shall be entitled to pay for said holiday.

Approved, March 29, 1937.

[CHAPTER 61]

JOINT RESOLUTION

Declaring Joseph P. Kennedy eligible for appointment as a member of the United States Maritime Commission.

March 30, 1937  
[S. J. Res. 110]  
[Pub. Res., No. 19]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Section 201 (b) of the Merchant Marine Act, 1936, approved June 29, 1936, Joseph P. Kennedy is declared to be eligible for appointment as a member of the United States Maritime Commission.*

United States Maritime Commission.  
Joseph P. Kennedy declared eligible for appointment as a member of.  
49 Stat. 1985.  
46 U. S. C., Supp. II, § 1111.

Approved, March 30, 1937.

[CHAPTER 64]

AN ACT

To amend section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008-2009).

April 1, 1937  
[H. R. 4951]  
[Public, No. 27]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008-2009) be amended to read as follows:*

"SEC. 704. All vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of this Act. All vessels transferred to the Commission by this Act and now being operated by private operators on lines in foreign commerce of the United States shall be temporarily operated by the Commission for its account by private operators until such time and upon such operating agreements as the Commission may deem advantageous, but the Commission shall arrange as soon as practicable to offer all such lines of vessels for charter as hereinafter provided, preference to be given to present operators, and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued within one year after the passage of this Act: *Provided*, That nothing herein contained shall prevent private operators, under such operating agreements, commencing voyages prior to said expiration date and completing them thereafter: *Provided further*, That nothing contained herein shall be construed as limiting or affecting the power of sale under provisions of section 705 of this Act."

Merchant Marine Act of 1936, amendment.  
49 Stat. 2008.  
46 U. S. C., Supp. II, § 1194.  
Charter or sale of vessels acquired by Commission.  
Temporary operation in foreign commerce, by private operators; time limitation.

*Proviso.*  
Completion of voyages begun before expiration date.  
Sale provisions not affected.

Approved, April 1, 1937.

[CHAPTER 69]

JOINT RESOLUTION

Making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs.

April 6, 1937  
[S. J. Res. 75]  
[Pub. Res., No. 20]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the application of such methods of control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with such authorities of the States concerned, organizations or individuals as the Secretary may deem necessary to accomplish such purposes, including the employment of persons and means in the District of Columbia and elsewhere, printing, rent outside of the District of Columbia, and for*

Insect pest and plant disease control.  
Appropriation authorized for.  
Post, pp. 120, 514.

Personal services, etc.

Additional sums for  
annual replenish-  
ment of fund.

Provisos.  
Administration.

Use restricted.

other purposes, the sum of \$2,000,000 is hereby authorized to be appropriated, to be made immediately available and remain available until expended; and there are hereby authorized to be appropriated such additional sums as may be necessary to replenish the fund to its original amount at the beginning of each fiscal year: *Provided*, That such appropriations shall be administered by the Bureau of Entomology and Plant Quarantine and shall be used for expenditures of general administration and supervision, surveys, purchase, transportation, and application of poison baits or materials and equipment for control of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, or for the preparation of such materials for application, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary: *And provided further*, That no part of such appropriations shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Approved, April 6, 1937.

## [CHAPTER 72]

### JOINT RESOLUTION

April 9, 1937  
[S. J. Res. 66]  
[Pub. Res., No. 21]

Providing for the participation by the United States in the Greater Texas and Pan American Exposition to be held in the State of Texas during the year 1937.

Greater Texas and  
Pan American Expo-  
sition.

Commission estab-  
lished; composition,  
purpose, etc.  
*Ante*, pp. 19, 55.

Commissioner Gen-  
eral; appointment.

Payment of expen-  
ses, and staff.

Duties and powers  
of Commissioner Gen-  
eral.

Personnel; appoint-  
ment, salaries, etc.

5 U. S. C. §§ 661-674.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established a Commission, to be known as the United States Greater Texas and Pan American Exposition Commission (hereinafter referred to as the Commission) to be composed of the Vice President, the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of the Greater Texas and Pan American Exposition in the State of Texas during the year 1937.

SEC. 2. There is hereby created a United States Commissioner General for such exposition, to be appointed by the President, by and with the advice and consent of the Senate, who shall serve without compensation. The expenses of said Commissioner General and the salary and expenses of such staff as he may require shall be paid out of the funds made available by this joint resolution for a period of time covering the duration of the exposition and not to exceed a six months' period following the closing thereof, and for such period prior to the opening of the exposition as the Commission shall determine.

SEC. 3. The Commission shall prescribe the duties of said Commissioner General and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at such exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials and documents as will best tend to illustrate the functions and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrate the nature of our institutions, particularly as regards their adaptation to the needs of the people.

SEC. 4. The Commissioner General is authorized to appoint such clerks, stenographers, and other assistants as may be necessary and to fix their salaries in accordance with the Classification Act of 1923, as amended, purchase such materials, and contract for such labor and other services as are necessary, and exercise such powers as are delegated to him by the Commission.

SEC. 5. The heads of the various executive departments, independent offices, and establishments of the Government are authorized to cooperate with the said Commissioner General in the procurement, installation, and display of exhibits, and to lend to the Commission such articles, specimens, and exhibits which said Commission shall deem to be in the interest of the United States and in keeping with the purposes of such exposition, to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments, independent offices, and establishments to assist said Commissioner General. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, said Commissioner General shall cause all such property to be returned to the respective departments, independent offices, and establishments from which taken, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions, fairs, and other celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the funds made available herein; and if the return of such property is not feasible, he may, with the consent of the department, independent office, or establishment from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

SEC. 6. The Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution. The Commission is further authorized to rent such space as it may deem adequate to carry out effectively the provisions of this joint resolution; and to provide for the decoration of buildings or structures, for the proper maintenance of buildings or structures, site, and grounds occupied by the United States during the period of the exposition. The funds made available herein may be used for the operation of such building or buildings, structure or structures, including light, heat, water, gas, janitor, and other required services; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit; for the payment of all necessary expenses of such Commissioner General, and for the compensation of other officers and employees of the Commission in the District of Columbia and elsewhere; for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, and for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed \$6 per day: *Provided*, That no such Government official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department, independent office, or establishment where employed, plus such reasonable allowance for travel, including travel by air, and subsistence expenses as may be deemed proper by the Commissioner General; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance,

Cooperation of Government agencies.

Loan of exhibits.

Contracts for labor, etc.

Return of property at close of exposition.

Preparation of reports.

Disposition of property not returned.

Expenditures authorized.

Rental of space.

Allocation of funds.

Personal services, etc.

*Proviso.*  
Salary restriction.

Furniture, supplies, etc.

Payments in advance.

Printing and binding.

Supervision of expenditures.

Delegation of powers.

Allotment of funds to executive departments, etc.

Approval of vouchers.

Prevailing wages for construction work.  
46 Stat. 1494.  
40 U. S. C. § 276a.

Acceptance of contributions.

Disposal of material, etc.

*Proviso.*  
Public sale.

Transfer of certain contracts.

49 Stat. 1136.

Transfer of functions, funds, etc.

Use of balances.

Disposition of monuments, etc.

repair, and operation, for the official use of said Commissioner General in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility as hereinbefore stipulated, may delegate these powers and functions to said Commissioner General, and said Commissioner General, with the consent of the Commission, may subdelegate them: *Provided further*, That the Commission or its delegated representative may allot funds made available herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by the said Commissioner General, or by such assistants as he may designate, except for such allotments as may be made to the various executive departments, independent offices and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any obligations to be incurred in excess of the amount authorized herein: *And provided further*, That in the construction of exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

SEC. 7. The Commissioner General, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds made available by this joint resolution. The Commissioner General is also authorized to receive contributions of material, or to borrow materials or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property: *Provided*, That all disposition of such materials and property shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States.

SEC. 8. The rights and liabilities under existing contracts entered into by the United States Texas Centennial Commission under the authority granted to it by Public Resolution Numbered 69, Seventy-fourth Congress, approved February 11, 1936, shall be transferred to and assumed by the Commission established by this joint resolution. All authority, powers, and duties of the United States Texas Centennial Commission under such Public Resolution Numbered 69, and all unexpended balances of appropriations available to said commission, shall be transferred to the United States Greater Texas and Pan American Exposition Commission to carry out the provisions of this joint resolution. Such unexpended balances of appropriations shall remain available until expended. Any monuments, statues, markers, buildings, and other structures, erected or constructed, and any lands, historic papers, and paintings purchased,

by the United States Texas Centennial Commission directly under contract shall be transferred to the Commission established by this joint resolution, and any such property may be assigned by such latter Commission in the manner prescribed by section 2 of such Public Resolution Numbered 69. This section shall take effect on the date of the submission to the Congress of the final report of the United States Texas Centennial Commission as provided by section 9 of Public Resolution Numbered 37, Seventy-fourth Congress, approved June 28, 1935.

SEC. 9. Any funds allocated by the United States Texas Centennial Commission to the Commission of Control for Texas Centennial Celebrations under the provisions of such Public Resolution Numbered 69 may be transferred in the discretion of the Commission upon the enactment of this joint resolution to said Commission of Control for Texas Centennial Celebrations to carry out the purposes for which such funds were so allocated.

SEC. 10. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Approved, April 9, 1937.

Effective date of section; final report.

49 Stat. 435.

Transfer of funds allocated to Commission of Control for Texas Centennial Celebrations.

49 Stat. 1136.

Report to Congress.

Termination of Commission.

#### [CHAPTER 73]

#### JOINT RESOLUTION

To make funds available to carry out the provisions of existing law authorizing the purchase and distribution of products of the fishing industry.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That not to exceed \$1,000,000 of the funds available to the Federal Surplus Commodities Corporation may be used by such Corporation for the purpose of diverting surplus fish (including shellfish) and the products thereof from the normal channels of trade and commerce by the acquisition and distribution thereof in accordance with the provisions of the Act entitled "An Act to authorize the purchase and distribution of products of the fishing industry", approved March 5, 1937.

Approved, April 12, 1937.

April 12, 1937  
[H. J. Res. 278]  
[Pub. Res., No. 22]

Fishing industry products.  
Designated funds made available for purchase and distribution of.

*Ante*, p. 27.

#### [CHAPTER 74]

#### JOINT RESOLUTION

Providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States continue its participation in the Great Lakes Exposition in the State of Ohio during the year 1937.

SEC. 2. The provisions of the joint resolution entitled "Joint resolution providing for the participation of the United States in the Great Lakes Exposition to be held in the State of Ohio during the year 1936, and authorizing the President to invite the Dominion of Canada to participate therein, and for other purposes", approved April 25, 1936, are hereby extended and made applicable to the continuance of the participation of the United States in such exposition in 1937.

April 12, 1937  
[S. J. Res. 53]  
[Pub. Res., No. 23]

Great Lakes Exposition.  
Federal participation in, continued.

Provisions extended.  
49 Stat. 1243.

Appropriation au-  
thorized.  
Post, pp. 215, 758.

SEC. 3. For the purposes of this resolution, there is hereby authorized to be appropriated the sum of \$175,000, which shall be in addition to the unexpended balance of the sum heretofore appropriated for carrying out the provisions of such joint resolution of April 25, 1936.

Approved, April 12, 1937.

[CHAPTER 75]

AN ACT

April 13, 1937  
[S. 1500]  
[Public, No. 28]

Authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes.

Cotton standards,  
etc.  
44 Stat. 1373.  
7 U. S. C. §§ 473, 474.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927, is amended by inserting between sections 3 and 4 thereof the following new sections:

Classification pro-  
visions.

"SEC. 3a. The Secretary of Agriculture, upon request in writing from any group of producers organized to promote the improvement of cotton who comply with such regulations as he may prescribe, is authorized and directed to determine and to make promptly available to such producers, the classification, in accordance with the official cotton standards of the United States, of any cotton produced by them. The Secretary of Agriculture is further authorized to pay the transportation charges and to furnish tags and containers for the samples of cotton submitted for classification under this section, and all samples of cotton so classified shall become the property of the Government, and the proceeds of any sales thereof after classification shall be covered into the Treasury of the United States as miscellaneous receipts.

Transportation,  
tags, and containers.

Samples, disposition  
of proceeds of sales.

Market news serv-  
ice.

"SEC. 3b. The Secretary of Agriculture is also authorized and directed to collect, authenticate, publish, and distribute, by telegraph, radio, mail, or otherwise, timely information on the market supply, demand, location, condition, and market prices for cotton, and to cause to be prepared regularly and distributed for posting at gins, in post offices, or in other public or conspicuous places in cotton-growing communities, information on prices for the various grades and staple lengths of cotton.

Rules and regula-  
tions.

"SEC. 3c. The Secretary of Agriculture is further authorized to make such rules and regulations as he may deem necessary to effectuate the purposes of this Act."

Approved, April 13, 1937.

[CHAPTER 76]

JOINT RESOLUTION

April 13, 1937  
[S. J. Res. 102]  
[Pub. Res., No. 24]

Authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

General Pulaski's  
Memorial Day.  
President author-  
ized to invite observ-  
ance of.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1937, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved, April 13, 1937.

## [CHAPTER 77]

## JOINT RESOLUTION

To amend section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended.

April 14, 1937  
[H. J. Res. 226]  
[Pub. Res., No. 25]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph 21 of section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", as amended, be amended by striking out the period at the end of the paragraph, inserting a colon, and adding the following words: "*Provided, however*, That bowling-alley establishments licensed under this section shall be closed at midnight on Saturday night and shall remain closed until 2 o'clock postmeridian."

District of Columbia, bowling alleys.  
Sunday closing hours.  
32 Stat. 625; 47 Stat. 553.

Approved, April 14, 1937.

## [CHAPTER 78]

## AN ACT

To amend an Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy, Marine Corps, and Coast Guard and also to officers of the Foreign Service of the United States at foreign stations.

April 14, 1937  
[S. 1133]  
[Public, No. 29]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That that part of the Act of March 3, 1909 (35 Stat. 768; U. S. C., title 34, sec. 533), which provides "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy and Marine Corps, also to civilian employees at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe", is hereby amended to read as follows: "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps and Coast Guard; to the widows of such officers and enlisted men; to civilian employees of the Navy Department and to officers of the Foreign Service of the United States at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe".

Navy.  
Extension of commissary privileges authorized.  
35 Stat. 768.  
34 U. S. C. § 533.

Foreign Service officers.

Approved, April 14, 1937.

## [CHAPTER 79]

## AN ACT

To amend that provision of the Act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property.

April 14, 1937  
[S. 1285]  
[Public, No. 30]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provision relating to issue by the Secretary of War of arms and ammunition for protection of public money and property, contained in the Act of March 3, 1879 (20 Stat. L. 412), be, and the same is hereby, amended to read as follows:

Arms and ammunition for protecting public money and property.  
20 Stat. 412.  
50 U. S. C. § 61.

"That upon the request of the head of any department or independent agency of the Government, the Secretary of War be, and he is hereby, authorized to issue arms, suitable accouterments for use

Issue of, authorized.



Delivery and ac-  
counting.

Return.

*Proviso.*  
Transfer of funds for  
incidental costs.

therewith, and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the department or independent agency designated by the head of such department or independent agency, to be accounted for to the Secretary of War, and to be returned when the necessity for their use has expired: *Provided, however,* That hereafter the cost of all ammunition issued, the cost of replacing borrowed arms and accouterments which are lost or destroyed or are irreparable, the cost of repairing arms and accouterments returned to the War Department, and the cost to the War Department of making and receiving shipments under the authority of this Act shall be covered by transfer of funds from the department or independent agency concerned to the credit of War Department funds."

Approved, April 14, 1937.

[CHAPTER 80]

AN ACT

April 14, 1937

[S. 1550]

[Public, No. 31]

To provide for the appointment of two additional circuit judges for the ninth judicial circuit.

Ninth judicial cir-  
cuit.  
Appointment of two  
additional judges au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to appoint, by and with the consent of the Senate, two additional circuit judges for the ninth judicial circuit.

Approved, April 14, 1937.

[CHAPTER 95]

AN ACT

April 15, 1937

[S. 462]

[Public, No. 32]

To authorize any Government department to exchange used parts of certain types of equipment for new or reconditioned parts of the same equipment.

Government depart-  
ments.  
Certain equipment  
exchanges permitted.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any Government department is authorized to exchange used parts of mechanical refrigerators, hermetically sealed refrigerating units, temperature control devices, and watchmen's clocks as payment, in full or in part, for new or reconditioned parts to be used for the same purpose as those proposed to be exchanged.

Approved, April 15, 1937.

[CHAPTER 100]

AN ACT

April 15, 1937

[S. 1125]

[Public, No. 33]

To amend the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes", approved August 27, 1935, and for other purposes.

Anastasia Island  
Lighthouse Reserva-  
tion, Fla.

Quitclaim deed of  
conveyance extended  
to heirs or assigns of  
holders of record title  
thereto.

49 Stat. 896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes", approved August 27, 1935, is amended (1) by inserting immediately after the words "holders of record title thereto" a comma and the following: "their heirs or assigns,"; and (2) by striking out "to Southern Real Estate Corporation, lots 4 to 7, block B, 3 to 7, block C, all of blocks D and E, Seaside Heights;"

SEC. 2. The Secretary of Commerce is authorized to convey by quitclaim deed to the city of Saint Augustine, Florida, to be used for public park purposes, that property authorized to be conveyed by such Act of August 27, 1935, to such Southern Real Estate Corporation, reserving unto the United States of America a perpetual easement for beams of light across any part of said lands that may be between the lighthouse and the sea.

Conveyance of portion to city of Saint Augustine for park purposes.

Easement reserved.

Approved, April 15, 1937.

[CHAPTER 101]

AN ACT

To enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps.

April 15, 1937  
[S. 1442]

[Public, No. 34]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of March 3, 1909 (35 Stat. 732, 751; U. S. C., 1934 ed., title 34, sec. 540), is hereby amended by inserting in line 15 of page 751 of volume 35 of the Statutes at Large of the United States, after the words "Marine Corps", the words "and Coast Guard".

Coast Guard.  
Sales of ordnance property extended to officers of.  
35 Stat. 751.  
34 U. S. C. § 540.

Approved, April 15, 1937.

[CHAPTER 102]

AN ACT

Authorizing and empowering the Secretary of the Treasury to sell the old post-office building at Oakland, California, and to convey to the city of Oakland portions of the site for street-widening purposes in accordance with the provisions of public Act approved August 26, 1935 (49 Stat. 800).

April 15, 1937  
[S. 1470]

[Public, No. 35]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved April 11, 1936 (49 Stat. 1202), to amend the Act entitled "An Act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, authorizing and empowering the Secretary of the Treasury to dispose of the old post-office building and to sell all of the site thereof at Oakland, California, is hereby amended by canceling the second sentence thereof and substituting the following: "The Secretary of the Treasury is hereby further authorized to sell the old post-office site situated at Broadway, Seventeenth, and Franklin Streets, in Oakland, California, at such time, for such price, and upon such terms and conditions as he may deem to be to the best interest of the United States, and to convey such property to the purchaser thereof by the usual quitclaim deed, the proceeds of said sale to be covered into the Treasury as miscellaneous receipts: *Provided*, That nothing herein shall prevent the Secretary of the Treasury from favorably considering an application of the city of Oakland for the conveyance to said city of such portion or portions of the site as the Secretary may agree are necessary for street-widening purposes in accordance with the provisions of public Act approved August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b)."

Oakland, Calif.  
Disposition of post office building and sale of site.  
49 Stat. 1202; 44 Stat. 630.  
40 U. S. C. § 341.

Proceeds of sale covered into Treasury.  
*Proviso*.  
Conveyance of portions of site to city.

49 Stat. 800.  
40 U. S. C., Supp. II, § 345b.

Approved, April 15, 1937.

## [CHAPTER 103]

## AN ACT

For the relief of the State of Pennsylvania.

April 15, 1937

[S. 1684]

[Public, No. 36]

Pennsylvania.  
Issue of duplicate  
check to Treasurer of,  
in lieu of lost original.  
R. S. § 3646.  
31 U. S. C. § 528.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the chief disbursing officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 65451, symbol number 79088, drawn January 25, 1935, in favor of "State Treasurer of Pennsylvania, trust fund", for \$11,315.93 and lost, stolen, or miscarried in the mails.

Approved, April 15, 1937.

## [CHAPTER 104]

## AN ACT

To provide special rates of postage on matter for the blind.

April 15, 1937

[H. R. 4286]

[Public, No. 37]

Postage on matter  
for the blind.  
Special rates on cer-  
tain publications pro-  
vided.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That magazines, periodicals, and other regularly issued publications in raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements, when furnished by an organization, institution, or association not conducted for private profit, to a blind person, at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

Approved, April 15, 1937.

## [CHAPTER 107]

## AN ACT

To authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy.

April 16, 1937

[S. 1441]

[Public, No. 38]

U. S. Coast Guard  
Academy.  
Appointment of  
heads of departments.

Original appoint-  
ments, probationary  
period.

*Provide.*  
Appointment of cer-  
tain instructors with-  
out examination.

Professors; rank,  
pay, and allowances.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized, by and with the advice and consent of the Senate to appoint not to exceed five professors to the United States Coast Guard as heads of the departments of instruction at the Coast Guard Academy. An original appointment as professor not made from a civilian instructor or regular commissioned officer in the United States Coast Guard shall be a temporary appointment; but a professor so appointed, after completion of a satisfactory probationary period of two years, may be regularly appointed as professor to rank from the date of his original appointment: *Provided,* That any person who has served as a civilian instructor in the Coast Guard Academy for fifteen years or more may be appointed to the office of professor in the Coast Guard Academy pursuant to this section without physical examination.

SEC. 2. A professor in the Coast Guard shall be a commissioned officer with rank not above that of commander and shall receive the pay and allowances of a commissioned officer of the same rank and length of service. When any such professor is commissioned with rank less than that of commander, he shall be promoted through the successive ranks to a rank not above that of commander under

such regulations as the President shall prescribe. A professor shall exercise command only in the academic department of the Coast Guard Academy.

Command limited.

SEC. 3. The Secretary of the Treasury is authorized to appoint in the Coast Guard, subject to the competitive provisions of the civil-service laws and regulations, not to exceed three civilian instructors, and the compensation of such appointees shall be fixed in accordance with the Classification Act of 1923, as amended.

Civilian instructors; appointment, pay, etc. 5 U. S. C. § 673.

SEC. 4. Service as a civilian instructor or professor at the Coast Guard Academy or as a commissioned officer in the Coast Guard (regular or temporary), rendered prior to an appointment as a professor pursuant to the provisions of this Act, shall be credited in computing length of service as a professor for purposes of pay and allowance.

Credit for prior service.

SEC. 5. Professors in the Coast Guard shall be on the same footing as to retirement from active service for any cause as other commissioned officers of the Coast Guard: *Provided*, That service as a civilian instructor or professor at the Coast Guard Academy or as a commissioned officer in the Coast Guard (regular or temporary), rendered prior to an appointment as a professor pursuant to the provisions of this Act, shall be credited in computing length of service for retirement purposes: *Provided further*, That the provisions of law relating to retirement for disability in line of duty shall not apply in the case of a professor until he shall have served fifteen years in the Coast Guard.

Retirement.

*Provisos.*  
Service computation.

Retirement for disability; restriction.

SEC. 6. The Secretary of the Treasury is authorized to appoint an advisory committee of the Coast Guard Academy which shall consist of not to exceed five persons of distinction in the field of education who shall serve without pay. The members so appointed shall visit the Coast Guard Academy at least once during the academic year on the call of the chairman and may convene once each year at headquarters at the call of the commandant, for the purpose of examining the course of instruction and advising the Secretary of the Treasury relative thereto. The actual expenses of the members of the committee while engaged in these duties, including their actual expense of travel, shall be defrayed under Government travel regulations from any appropriation available for the authorized work of the United States Coast Guard.

Advisory committee; appointment, composition, etc.

Visits, meetings, expenses, etc.

SEC. 7. In addition to the advisory board there shall be appointed in January of each year a Board of Visitors to the Coast Guard, which shall consist of two Senators and three Members of the House of Representatives appointed by the chairmen of the committees of the Senate and the House of Representatives, respectively, having cognizance of legislation pertaining to the Coast Guard Academy. The chairmen of such committees shall be ex-officio members of the Board.

Congressional Board of Visitors.

(b) Such Board shall visit the Coast Guard Academy annually on a date to be fixed by the Secretary of the Treasury. Each member of the Board shall be reimbursed under Government travel regulations for the actual expense incurred by him while engaged upon duties as a member of such Board.

Annual visits to be made.  
Reimbursement of members' expenses.

SEC. 8. Nothing in this Act shall be construed to prevent the Secretary of the Treasury from assigning any commissioned officer, chief warrant officer, warrant officer, or enlisted man to appropriate instruction duty at the Coast Guard Academy.

Assignment of officers, etc., to instruction duty.

SEC. 9. Any appropriation which is now or may hereafter be available for the payment of expenses for the authorized work of the Coast Guard shall be available to carry out the purposes of this Act.

Funds available for expenses.

Existing provision repealed.  
34 Stat. 453; 40 Stat. 640.  
14 U. S. C. § 124.

*Proviso.*  
Restriction on present appointees.

SEC. 10. Section 4 of an Act entitled "An Act to promote the efficiency of the Revenue Cutter Service", approved June 23, 1906 (34 Stat. 453; U. S. C., 1934 ed., title 14, sec. 124), as amended by the Act of July 1, 1918 (40 Stat. 640), is hereby repealed, but such repeal shall not be construed to affect existing appointments: *Provided*, That no appointee, appointed prior to the enactment of this Act, may be retained as an instructor in the Coast Guard Academy without appropriate civil-service status for a period longer than six months from the effective date of this Act.

Approved, April 16, 1937.

#### [CHAPTER 108]

#### AN ACT

April 17, 1937

[S. 1901]

[Public, No. 39]

To amend the last two provisos, section 26, Act of Congress approved March 3, 1921 (41 Stat. L. 1225-1248).

Quapaw Indians, Oklahoma.  
State gross production tax on lead and zinc produced on lands of.  
41 Stat. 1249.

*Exemption from other State taxes.*

*Proviso.*  
Not a lien on property of Indian.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the last two provisos in section 26 of the Act of Congress approved March 3, 1921 (41 Stat. L. 1225-1248), be, and the same are hereby, amended to read as follows: "That the State of Oklahoma is authorized, from and after the passage of this amendment, to levy and collect a gross production tax upon all lead and zinc produced on said lands in an amount not to exceed the present rate of three-fourths of 1 per centum on the gross value thereof. In accordance with the uniform policy of the United States Government to hold the lands of the Quapaw Indians while restricted and the income therefrom free from State taxation of whatsoever nature, except as said immunity is expressly waived, and, in pursuance of said fixed policy, it is herein expressly provided that the waiver of tax immunity herein provided shall be in lieu of all other State taxes of whatsoever nature on said restricted lands or the income therefrom, and the Secretary of the Interior is hereby authorized and directed to cause to be paid out of the individual Indian funds held under his supervision, belonging to the Indian owner of the land, the gross production tax so assessed against the royalty interest of the respective Indian owner in an amount not to exceed the rate hereinabove set forth: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of said Indian owner."

Approved, April 17, 1937.

#### [CHAPTER 109]

#### AN ACT

April 17, 1937

[S. 1473]

[Public, No. 40]

To authorize the Secretary of War to lend War Department equipment for use at the World Jamboree to the Boy Scouts of America; and to authorize the Commissioner of Internal Revenue to remit the tax on steamship tickets; and further to authorize the Secretary of State to issue passports to bona-fide Scouts and Scouters without fee for the application or the issuance of said passports.

Boy Scouts of America.  
Loan of Army equipment to, for World Jamboree, in the Netherlands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the National Council, Boy Scouts of America, for use at the World Jamboree, Boy Scouts, to be held in the Netherlands, in the months of July and August 1937, one thousand two hundred cots, four thousand five hundred blankets, tentage for one thousand two hundred Scouts, twenty-five fire cranes, twenty-five sets commissary storage shelves, one hundred pot chains, one hundred cook pots, twenty-five United States parade-size flags, fifty fry pans, fifty bake

pans, fifty reflector ovens, two hundred water pails, two hundred and fifty tin serving pans, two hundred and fifty pitchers: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said convention as may be agreed upon by the Secretary of War and the National Council, Boy Scouts of America: *Provided further*, That the Secretary of War before delivering said property shall take from the said Boy Scouts of America a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States. That the Commissioner of Internal Revenue be, and he is hereby, authorized under such rules and regulations as he shall promulgate to remit the tax on steamship tickets to bona-fide Scouts and Scouters certified by the National Council, Boy Scouts of America, attending this Jamboree. That, under such regulations as he may prescribe, the Secretary of State be, and he is hereby, authorized to issue passports to bona-fide Scouts and Scouters of the Boy Scouts of America who are citizens of the United States or, if not citizens of the United States, who owe permanent allegiance to the United States upon certification by the National Council, Boy Scouts of America, as to their qualification to attend this Jamboree as representing the National Council, Boy Scouts of America, without fee for the application or the issuance of said passports.

*Proviso.*  
No Federal expense for delivery, etc.

Bond.

Remission of tax on steamship tickets.

Issue of passports without fee.

Approved, April 17, 1937.

#### [CHAPTER 110]

##### AN ACT

To amend an Act entitled "An Act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, Numbered 801, Seventieth Congress).

April 17, 1937  
[H. R. 157]

[Public, No. 41]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (Public, Numbered 801, Seventieth Congress), be, and it is hereby, amended by striking out "\$15,000" wherever it appears and inserting in lieu thereof "\$25,000, to be immediately available": *Provided*, That no such additional appropriation shall be available for expenditure except when matched by equal appropriations of District of Columbia funds, which are hereby authorized.

District of Columbia.  
Additional annual appropriation for vocational rehabilitation, authorized.  
45 Stat. 1260.  
Post, p. 765.

*Proviso.*  
Equal amount from District funds.

Approved, April 17, 1937.

#### [CHAPTER 111]

##### AN ACT

To authorize the acquisition of six hundred and forty acres of land for the use and benefit of the Santa Rosa Band of Mission Indians, State of California.

April 17, 1937  
[H. R. 5293]

[Public, No. 42]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized to purchase in the name of the United States of America in trust for the Santa Rosa Band of Mission Indians six hundred and forty acres of land described as section 36, township 7 south, range 4 east, San Bernardino meridian, California, and for that purpose there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$500.

Santa Rosa Band of Mission Indians, California.  
Acquisition of land for use of, authorized.

Appropriation authorized.  
Post, p. 763.

Approved, April 17, 1937.

## [CHAPTER 114]

## AN ACT

April 20, 1937

[H. R. 5299]

[Public, No. 43]

Los Angeles, Calif.  
Exchange of certain  
lands and water rights  
with, for benefit of  
Indians.

*Proviso.*  
Reservation of min-  
erals and easements.

Exchange of lands  
covered by trust pat-  
ent, etc.

*Proviso.*  
Indian to receive  
area of equal value.

No tribal lands in-  
volved except with  
consent.

To authorize the Secretary of the Interior to exchange certain lands and water rights in Inyo and Mono Counties, California, with the city of Los Angeles, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept title on behalf of the United States to lands and water rights now owned and held by the city of Los Angeles in the counties of Inyo and Mono, State of California, if, in his judgment, the interests of the Indians in said counties will be benefited thereby; and in consideration therefor the said Secretary may issue a patent or patents to the said city of Los Angeles for lands, water rights, and buildings now held by the United States for the benefit of the Indians, provided that the lands, water rights, and buildings covered by the patent or patents shall not exceed in value the lands and water rights conveyed by the said city of Los Angeles to the United States: *Provided,* That the said Secretary may reserve the minerals of the lands conveyed to the said city and the said Secretary is authorized to accept conveyance by the said city of the lands and water rights, subject to a similar reservation in the city of the minerals of such lands, and in determining the relative value of the lands and water rights to be exchanged, consideration shall be given to any reservation made by either or both parties of any minerals or easements in the lands that may be exchanged.

SEC. 2. No allotted or other lands covered by trust patent or other instrument containing restriction against alienation by the allottee shall be involved in any such exchange except with the consent of the allottees or their heirs. Any such allottees or their heirs are hereby authorized to relinquish to the United States any lands covered by such patents or other instruments and accept in lieu thereof assignments of land within the new Indian reservations which are hereby authorized to be established by the Secretary of the Interior out of any lands accepted by him pursuant to section 1 hereof: *Provided,* That any such Indian may receive an area of equal value to the area of the allotment relinquished by him and receive similar title to that relinquished should any of the lands accepted by the said Secretary be outside of the boundaries of the new reservations.

SEC. 3. No tribal lands shall be involved in any such exchange except with the consent of a majority of the adult Indians entitled to the use thereof. All lands acquired pursuant to this Act, other than land to which title may be held by or in trust for individual Indians, shall be held by the United States in trust for the Indian tribe, band, or group concerned.

Approved, April 20, 1937.

## [CHAPTER 121]

## AN ACT

To amend the National Housing Act.

April 22, 1937

[S. 1228]

[Public, No. 44]

National Housing  
Act, amendment.  
49 Stat. 1233.  
12 U. S. C., Supp.  
II, § 1706a.

Insurance of finan-  
cial institutions, eligi-  
ble for credit insurance,  
against loss; provisions  
extended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 6 of the National Housing Act, as amended, is amended to read as follows:

"(a) The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, build-

ing and loan associations, installment lending companies, and other such financial institutions, heretofore or hereafter approved by the Administrator as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them subsequent to the date this section takes effect and prior to July 1, 1939, or such earlier date as the President may fix by proclamation upon his determination that the emergency no longer exists, for the purpose of financing, by the owners of real property or by lessees thereof under a lease for a period of not less than one year, the restoration, rehabilitation, rebuilding, and replacement of improvements on such real property and equipment and machinery thereon which were damaged or destroyed by earthquake, conflagration, tornado, cyclone, hurricane, flood, or other catastrophe in the years 1935, 1936, 1937, 1938, or 1939, either on the same site or on a new site in the same locality where the damaged or destroyed property was located. The Administrator is authorized to grant insurance under this section, as amended, to any such financial institution up to 20 per centum of the total amount of loans, advances of credit, and purchases made by such financial institution for such purposes, and any insurance reserve accumulated by any such financial institution under section 2 of this title shall be applicable to the payment of any losses sustained by it as a result of loans, advances of credit, or purchases insured under this section."

Financing rehabilitation of property damaged by catastrophe during years designated.

Maximum amount.

SEC. 2. The third sentence of subsection (a) of section 2 of the National Housing Act, as amended, is amended to read as follows: "The total liability incurred by the Administrator for all insurance heretofore and hereafter granted under this section and section 6, as amended, shall not exceed in the aggregate \$100,000,000."

Limitation on liability.  
49 Stat. 1234.

Approved, April 22, 1937.

## [CHAPTER 122]

### AN ACT

For payment of compensation to persons serving as postmaster at third- and fourth-class post offices.

April 22, 1937

[H. R. 77]

[Public, No. 45]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the proviso, following the appropriation for compensation to postmasters, contained in the Act approved March 1, 1921 (41 Stat., p. 1151; U. S. C., title 39, sec. 39), is hereby amended by adding after the words "unnecessary delay" at the end thereof the following: "A person who, upon the occurrence of a vacancy and pending the appointment of a postmaster or the designation of an acting postmaster, assumes and properly performs the duties of postmaster at any third- or fourth-class post office shall be allowed compensation as postmaster for the period of such service: *Provided*, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for compensation for service heretofore rendered, but subsequent to June 30, 1930, is hereby authorized and directed to allow compensation as postmaster for service rendered under the circumstances and conditions hereinbefore prescribed."

Postmasters, third- or fourth-class post offices.

Compensation for ad interim service.  
41 Stat. 1151.  
39 U. S. C. § 39.

*Proviso.*  
Payment for service rendered since June 1930.

Approved, April 22, 1937.



## [CHAPTER 123]

## AN ACT

April 22, 1937

[H. R. 5551]

[Public, No. 46]

Capitan Grande  
Band of Mission  
Indians.

Reservation of cer-  
tain lands for benefit  
of.

47 Stat. 146.

*Proviso.*  
Prior rights not  
affected.

To reserve certain public domain in California for the benefit of the Capitan Grande Band of Mission Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-described public domain be, and it is hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Barona Ranch, a tract of land purchased for the Capitan Grande Band of Mission Indians under authority contained in the Act of May 4, 1932 (47 Stat. L. 146): Lots 1 and 2 of section 23, township 14 south, range 1 east, San Bernardino meridian, California, containing twelve and nineteen one-hundredths acres: *Provided*, That said withdrawal shall not affect any valid rights initiated prior to approval hereof.

Approved, April 22, 1937.

## [CHAPTER 125]

## AN ACT

April 23, 1937

[H. R. 168]

[Public, No. 47]

Books, etc., for the  
adult blind.

46 Stat. 1487; 49  
Stat. 374.

2 U. S. C., Supp. II,  
§ 135a.

Annual appropria-  
tion for, increased.

*Proviso.*  
Division of amount.

Applicability.

To authorize an increase in the annual appropriation for books for the adult blind.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1, as amended, of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., 1934 ed., Supp. II, title 2, sec. 135a), is amended to read as follows:

"That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, the sum of \$275,000, which sum shall be expended under the direction of the Librarian of Congress to provide books published either in raised characters, on sound-reproduction records, or in any other form, for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia: *Provided*, That of said annual appropriation of \$275,000, not exceeding \$100,000 thereof shall be expended for books in raised characters, and not exceeding \$175,000 thereof shall be expended for sound-reproduction records."

SEC. 2. This Act shall be applicable with respect to the fiscal year ending June 30, 1938, and for each fiscal year thereafter.

Approved, April 23, 1937.

## [CHAPTER 127]

## AN ACT

April 26, 1937

[H. R. 4985]

[Public, No. 48]

Bituminous Coal  
Act of 1937.

Declaration of policy  
and necessity of regu-  
lation.

National Bitumi-  
nous Coal Commis-  
sion.

Establishment,  
composition, etc.  
*Post*, p. 567.

To regulate interstate commerce in bituminous coal, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That regulation of the sale and distribution in interstate commerce of bituminous coal is imperative for the protection of such commerce; that there exist practices and methods of distribution and marketing of such coal that waste the coal resources of the Nation and disorganize, burden, and obstruct interstate commerce in bituminous coal, with the result that regulation of the prices thereof and of unfair methods of competition therein is necessary to promote interstate commerce in bituminous coal and to remove burdens and obstructions therefrom.

## NATIONAL BITUMINOUS COAL COMMISSION

SEC. 2. (a) There is hereby established in the Department of the Interior a National Bituminous Coal Commission (herein referred to as Commission), which shall be composed of seven members

appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The Commission shall annually designate its chairman, and shall have a seal which shall be judicially recognized. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor in office. The Commission shall have an office in the city of Washington, District of Columbia, and shall convene at such times and places as the majority of the Commission shall determine. Two members of the Commission shall have been experienced bituminous coal mine workers, two shall have had previous experience as producers, but none of the members shall have any financial interest, direct or indirect, in the mining, transportation, or sale of, or manufacture of equipment for, coal (whether or not bituminous coal), oil, or gas, or in the generation, transmission, or sale of hydro-electric power, or in the manufacture of equipment for the use thereof, and shall not actively engage in any other business, vocation, or employment. Not more than one commissioner shall be a resident of any one State, and not more than one commissioner shall be a resident of any one of the districts hereinafter established, but a change in any of the boundaries of the districts, made by the Commission as hereinafter provided, shall not affect the tenure of office of any commissioner then serving. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. The Commission is authorized to appoint and fix the compensation and duties of a secretary and necessary professional, clerical, and other assistants. With the exception of the secretary, a clerk to each commissioner, the attorneys, the managers and employees of the statistical bureaus hereinafter provided for, and such special agents, technical experts, and examiners as the Commission may require, all employees of the Commission shall be appointed and their compensation fixed in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended. No person appointed without regard to the provisions of the civil-service laws shall be related to any member of the Commission by marriage or within the third degree by blood. The Commission is authorized to accept and utilize voluntary and uncompensated services of any person or of any official of a State or political subdivision thereof. The members of the Commission shall each receive compensation at the rate of \$10,000 per year and necessary traveling expenses. Such Commission shall have the power to make and promulgate all reasonable rules and regulations for carrying out the provisions of this Act and shall annually make full report of its activities to the Secretary of the Interior for transmission to Congress. A majority of the Commission shall constitute a quorum for the transaction of business, and a vacancy in the Commission shall not impair the right of the remaining members to exercise all the power of the Commission. No order which is subject to judicial review under section 6, and no rule or regulation which has the force and effect of law, shall be made or prescribed by the Commission, unless it has given reasonable public notice of a hearing, and unless it has afforded to interested parties an opportunity to be heard, and unless it has made findings of fact. Such findings, if supported by substantial evidence shall be conclusive upon review thereof by any court of the United States. The Commission may establish divisions, each of which divisions shall consist of not less than three of its members, as it may deem necessary for the proper dispatch of its business. Each such division shall exercise all the powers and authority of the Commission in the premises: *Provided*, That any person in interest may, upon written petition, secure a review by the Commission of the report, finding, or order

Chairman: official seal.

Vacancies.

Principal office.

Qualifications of members.

Geographical limitations.

Removal.

Secretary and other personnel.

5 U. S. C. §§ 631-652, 661-674.

Kinship provisions.

Voluntary, etc., services.

Member's compensation.

Administrative rules, etc.

Quorum.

Orders subject to judicial review or rules having effect of law. *Post*, p. 85.

Establishment of divisions; powers, etc.

*Post*eo. Review upon written petition.

Reference to an individual Commissioner, etc.

Powers.

Contracts for personal services.

Researches for improving standards and methods.

Office of Consumers' Counsel established.

Appointment of counsel.

Financial, business, etc., restrictions.

Compensation and expenses.

Duties of counsel.

Rights before Commission.

Information to be furnished.

Technical, clerical, etc., assistants.

of such division. The Commission may by its order assign or refer any matter within its jurisdiction under this Act to an individual Commissioner, to a board composed of employees of the Commission, or to an examiner, to be designated by such order, for hearing and the recommendation of an appropriate order in the premises. Each individual Commissioner, board, or examiner, when so directed by order of the Commission, shall have power to administer oaths and affirmations, to examine witnesses, and receive evidence. The Commission is authorized to make contracts for personal services in the District of Columbia and elsewhere and to establish and maintain such offices throughout the United States as it deems necessary for the effective administration of this Act, but shall maintain its principal office in the District of Columbia.

The Commission is hereby authorized to initiate, promote, and conduct research designed to improve standards and methods used in the mining, preparation, conservation, distribution, and utilization of coal and the discovery of additional uses for coal, and for such purposes shall have authority to assist educational, governmental, and other research institutions in conducting research in coal, and to do such other acts and things as it deems necessary and proper to promote the use of coal and its derivatives.

(b) (1) There is hereby established an office in the Department of the Interior to be known as the office of the consumers' counsel of the National Bituminous Coal Commission. The office shall be in charge of a counsel to be appointed by the President, by and with the advice and consent of the Senate. The counsel shall have no financial interest, direct or indirect, in the mining, transportation, or sale of, or the manufacture of equipment for, coal (whether or not bituminous coal), oil, or gas, or in the generation, transmission, or sale of hydroelectric power, or in the manufacture of equipment for the use thereof, and shall not actively engage in any other business, vocation, or employment. The counsel shall receive compensation, at the rate of \$10,000 per year and necessary traveling expenses.

(2) It shall be the duty of the counsel to appear in the interest of the consuming public in any proceeding before the Commission and to conduct such independent investigation of matters relative to the coal industry and the administration of this Act as he may deem necessary to enable him properly to represent the consuming public in any proceeding before the Commission. In any such proceeding before the Commission, the counsel shall have the right to offer any relevant testimony and argument, oral or written, and to examine and cross-examine witnesses and parties to the proceeding, and shall have the right to have subpoena or other process of the Commission issue in his behalf. Whenever the counsel finds that it is in the interest of the consuming public to have the Commission furnish any information at its command or conduct any investigation as to any matter within its authority, the counsel shall so certify to the Commission, specifying in the certificate the information or investigation desired. Thereupon the Commission shall promptly furnish to the counsel the information or promptly conduct the investigation and place the results thereof at the disposal of the counsel.

(3) The counsel is authorized to appoint and fix the compensation and duties of necessary professional, clerical, and other assistants. With the exception of a clerk to the counsel, the attorneys, and such special agents and experts as the counsel may from time to time find necessary for the conduct of his work, all employees of the counsel shall be appointed and their compensation fixed in accordance with the civil-service laws and the Classification Act of 1923, as amended.

The counsel is authorized to make such expenditures as may be necessary for the performance of the duties vested in him.

Expenditures authorized.

(4) The counsel shall annually make a full report of the activities of his office directly to the Congress.

Annual report to Congress.

#### TAX ON COAL

Tax on coal.

SEC. 3. (a) There is hereby imposed upon the sale or other disposal of bituminous coal produced within the United States when sold or otherwise disposed of by the producer thereof an excise tax of 1 cent per ton of two thousand pounds.

Levy on bituminous, sold by producer.

The term "disposal" as used in this section includes consumption or use (whether in the production of coke or fuel, or otherwise) by a producer, and any transfer of title by the producer other than by sale.

"Disposal" defined.

(b) In addition to the tax imposed by subsection (a) of this section, there is hereby imposed upon the sale or other disposal of bituminous coal produced within the United States, when sold or otherwise disposed of by the producer thereof, which would be subject to the application of the conditions and provisions of the code provided for in section 4, or of the provisions of section 4-A, an excise tax in an amount equal to 19½ per centum of the sale price at the mine in the case of coal disposed of by sale at the mine, or in the case of coal disposed of otherwise than by sale at the mine, and coal sold otherwise than through an arms' length transaction, 19½ per centum of the fair market value of such coal at the time of such disposal or sale. In the case of any producer who is a code member as provided in section 4 and is so certified to the Commissioner of Internal Revenue by the Commission, the sale or disposal by such producer during the continuance of his membership in the code of coal produced by him shall be exempt from the tax imposed by this subsection.

Additional, coal subject to code.

Tax exemption, code members.

(c) The taxes imposed by this section shall be paid to the United States by the producer, and shall be payable monthly for each calendar month on or before the first business day of the second succeeding month, under such regulations and in such manner as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

Payments.

(d) In the case of coal disposed of otherwise than by sale at the mine, and coal sold otherwise than through an arms' length transaction, the Commissioner of Internal Revenue shall determine the market value thereof. Such market value shall equal the current market price at the mine of coal of a comparable kind, quality, and size produced for market in the locality where the coal so disposed of is produced.

Coal disposed of other than by sale at the mine, etc.; determining market value.

(e) The tax imposed by subsection (a) of this section shall not apply in the case of a sale of coal for the exclusive use of the United States or of any State or Territory of the United States or the District of Columbia, or any political subdivision of any of them, for use in the performance of governmental functions. Under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, a credit against the tax imposed by subsection (a) of this section or a refund may be allowed or made to any producer of coal in the amount of such tax paid with respect to the sale of coal to any vendee, if the producer has in his possession such evidence as the regulations may prescribe that such coal was resold by any person for the exclusive use of the United States or of any State, Territory of the United States, or the District of Columbia, or any political subdivision

United States or political subdivision thereof. Sales to be tax exempt if for sole use of.

Credits herein, allowed producer's vendee.

of any of them, for use in the performance of governmental functions.

Right of producer to contest code provisions.

(f) No producer shall, by reason of his acceptance of the code provided for in section 4, or of the exemption from the tax provided in subsection (b) in this section, be held to be precluded or estopped from contesting the constitutionality of any provision of this Act or of the code, or the validity or application of either to him or to any part of the coal produced by him.

Bituminous coal code.

#### BITUMINOUS COAL CODE

Commission to promulgate provisions.

SEC. 4. The provisions of this section shall be promulgated by the Commission as the "Bituminous Coal Code", and are herein referred to as the code.

Code members construed.

Producers accepting membership in the code as provided in section 5 (a) shall be, and are herein referred to as, code members, and the provisions of such code shall apply only to such code members, except as otherwise provided by subsection (h) of part II of this section.

Conditions, provisions, and obligations.

For the purpose of carrying out the declared policy of this Act, the code shall contain the following conditions and provisions, which are intended to regulate interstate commerce in bituminous coal and which shall be applicable only to matters and transactions in or directly affecting interstate commerce in bituminous coal:

#### Organization.

#### PART I—ORGANIZATION

District boards of code members; number.

Board membership.

(a) Twenty-three district boards of code members shall be organized. Each district board shall consist of not less than three nor more than seventeen members. The number of members of the district board shall, subject to the approval of the Commission, be determined by the majority vote of the district tonnage during the calendar year 1936 represented at a meeting of the code members of the district called for the purpose of such determination and for the election of such district board; and all code members within the district shall be given notice of the time and place of the meeting. All but one of the members of the district board shall be code members or representatives of code members truly representative of all the mines of the district. The number of such producer members shall be an even number. One-half of such producer members shall be elected by the majority in number of the code members of the district represented at the aforesaid meeting. The other producer members shall be elected by votes cast in the proportion of the annual tonnage output of the code members in the district, for the calendar year preceding the date of the election: *Provided*, That not more than one officer or employee of any code member within a district shall be a member of the district board at the same time. The remaining member of each district board shall be selected by the organization of employees representing the preponderant number of employees in the industry of the district in question. The term of district board members shall be two years and until their successors are elected. The Commission shall have power to remove any member of any district board upon its finding, after due notice and hearing, that said member is guilty of inefficiency, willful neglect of duty, or malfeasance in office.

Notice of meeting.

District board, composition, etc.

Elections.

*Proviso.*  
Restriction.

Employee representative.

Term of board members.

Removals.

Powers of district boards.

The district boards shall have power to adopt bylaws and rules of procedure, subject to approval of the Commission, and to appoint officers from within or without their own membership, to fix their terms and compensation, to provide for reports, and to employ such committees, employees, arbitrators, and other persons necessary to

effectuate their purposes. Members of the district board shall serve, as such, without compensation but may be reimbursed for their reasonable expenses. The territorial boundaries or limits of the twenty-three districts are set forth in the schedule entitled "Schedule of Districts" and annexed to this Act.

Whenever the Commission upon investigation instituted upon its own motion or upon petition of any code member, district board, State or political subdivision thereof, or the consumers' counsel, after hearing finds that the territorial boundaries or limits of any district or minimum-price area are such as to make it substantially impracticable to establish minimum prices in accordance with all the standards set forth in subsections (a) and (b) of part II of this section, and that a change in such territorial boundaries or limits or a division or consolidation of such districts or minimum-price areas would render the establishment of minimum prices in accordance with all such standards more practicable, it shall by order make such changes, divisions, and consolidations as it finds will substantially aid in such establishment of minimum prices.

(b) The expense of administering the code by the respective district boards shall be borne by the code members in the respective districts, each paying his proportionate share, as assessed, computed on a tonnage basis, in accordance with regulations prescribed by such boards with the approval of the Commission. Such assessments may be collected by the district board by action in any court of competent jurisdiction.

(c) Nothing contained in this Act shall constitute the members of a district board partners for any purpose. Nor shall any member of a district board or officer thereof be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the district board. Nor shall any member or officer of a district board, exercising reasonable diligence in the conduct of his duties under this Act, be liable to anyone for any action or omission to act under this Act except for his own willful misfeasance or for nonfeasance involving moral turpitude.

(d) No action complying with the provisions of this section taken while this Act is in effect, or within sixty days thereafter, by any code member or by any district board, or officer thereof, shall be construed to be within the prohibitions of the antitrust laws of the United States.

## PART II—MARKETING

The Commission shall have power to prescribe for code members minimum and maximum prices, and marketing rules and regulations, as follows:

(a) All code members shall report all spot orders to such statistical bureau hereinafter provided for as may be designated by the Commission and shall file with it copies of all contracts for the sale of coal, copies of all invoices, copies of all credit memoranda, and such other information concerning the preparation, cost, sale, and distribution of coal as the Commission may authorize or require. All such records shall be held by the statistical bureau as the confidential records of the code member filing such information.

For each district there shall be established by the Commission a statistical bureau which shall be operated and maintained as an agency of the Commission. Each statistical bureau shall be under the direction of a manager, who shall be appointed by the Commission. No producer, employee, or representative of a producer, and, except as the Commission may specifically approve, no member of a

Service without compensation; expenses allowed.

Territorial boundaries of districts.  
Post, p. 91.

Limits of a district or minimum price area.

Changes, consolidations, etc.

Code administration expenses.

Collection of assessments.

Liability of board members.

Antitrust laws not to apply to actions complying with code.

Marketing.

Minimum and maximum prices, etc.

Reports and records by code members.

Confidential nature of records.

Statistical bureaus; establishment, operation, etc.

district board or employee or representative thereof shall be an employee of any statistical bureau.

Minimum price proposals.

Each district board shall, from time to time on its own motion or when directed by the Commission, propose minimum prices free on board transportation facilities at the mines for kinds, qualities, and sizes of coal produced in said district, and classification of coal and price variations as to mines, consuming market areas, values as to uses and seasonal demand. Said prices shall be proposed so as to yield a return per net ton for each district in a minimum price area, as such districts are identified and such area is defined in the subjoined table designated "minimum-price-area table", equal as nearly as may be to the weighted average of the total costs, per net ton, determined as hereinafter provided, of the tonnage of such minimum price area. The computation of the total costs shall include the cost of labor, supplies, power, taxes, insurance, workmen's compensation, royalties, depreciation and depletion (as determined by the Bureau of Internal Revenue in the computation of the Federal income tax) and all other direct expenses of production, coal operators' association dues, district board assessments for Board operating expenses only levied under the code, and reasonable costs of selling and the cost of administration.

Computation of total costs.

Minimum-price-area table.

#### MINIMUM-PRICE-AREA TABLE

Enumeration.

Area 1: Eastern Pennsylvania, district 1; western Pennsylvania, district 2; northern West Virginia, district 3; Ohio, district 4; Michigan, district 5; Panhandle, district 6; Southern numbered 1, district 7; Southern numbered 2, district 8; that part of Southeastern district 13, comprising Van Buren, Warren, and McMinn Counties in Tennessee.

Area 2: West Kentucky, district 9; Illinois, district 10; Indiana, district 11; Iowa, district 12.

Area 3: Southeastern, district 13, except Van Buren, Warren, and McMinn Counties in Tennessee.

Area 4: Arkansas-Oklahoma, district 14.

Area 5: Southwestern, district 15.

Area 6: Northern Colorado, district 16; southern Colorado, district 17; New Mexico, district 18.

Area 7: Wyoming, district 19; Utah, district 20.

Area 8: North Dakota and South Dakota, district 21.

Area 9: Montana, district 22.

Area 10: Washington and Alaska, district 23.

Factors in determining minimum prices.

The minimum prices so proposed shall reflect, as nearly as possible, the relative market value of the various kinds, qualities, and sizes of coal, shall be just and equitable as between producers within the district, and shall have due regard to the interests of the consuming public. The procedure for proposal of minimum prices shall be in accordance with rules and regulations to be approved by the Commission.

Submission of schedule of proposed prices to Commission.

A schedule of such proposed minimum prices, together with the data upon which they are computed, including, but without limitation, the factors considered in determining the price relationship, shall be submitted by the district board to the Commission, which may approve, disapprove, or modify such proposed minimum prices to conform to the requirements of this subsection, which shall serve as the basis for the coordination provided for in the succeeding subsection (b): *Provided*, That all minimum prices proposed for any kind, quality, or size of coal for shipment into any consuming market area shall be just and equitable as between producers within the dis-

Provisos. Requirements of minimum prices.

trict: *And provided further*, That no minimum price shall be proposed that permits dumping.

As soon as possible after its creation, each district board shall determine, from cost data submitted by the proper statistical bureau of the Commission, the weighted average of the total costs of the ascertainable tonnage produced in the district in the calendar year 1936. The district board shall adjust the average costs so determined, as may be necessary to give effect to any changes in wage rates, hours of employment, or other factors substantially affecting costs, exclusive of seasonal changes, so as to reflect as accurately as possible any change or changes which may have been established since January 1, 1936. Such determination and the computations upon which it is based shall be promptly submitted to the Commission by each district board in the respective minimum-price area. The Commission shall thereupon determine the weighted average of the total costs of the tonnage for each minimum-price area in the calendar year 1936, adjusted as aforesaid, and transmit it to all the district boards within such minimum-price area. Said weighted average of the total costs shall be taken as the basis, to be effective until changed by the Commission, for the proposal and establishment of minimum prices. Thereafter, upon satisfactory proof made at any time by any district board of a change in excess of 2 cents per net ton of two thousand pounds in the weighted average of the total costs in the minimum-price area, exclusive of seasonal changes, the Commission shall increase or decrease the minimum prices accordingly. The weighted average figures of total cost determined as aforesaid shall be available to the public.

Each district board shall, on its own motion or when directed by the Commission, propose reasonable rules and regulations incidental to the sale and distribution, by code members within the district, of coal. Such rules and regulations shall not be inconsistent with the requirements of this section and shall conform to the standards of fair competition hereinafter established. Such rules and regulations shall be submitted by the district board to the Commission with a statement of the reasons therefor, and the Commission may approve, disapprove, or modify the same, for the purpose of coordination.

(b) District boards shall, under rules and regulations established by the Commission, coordinate in common consuming market areas upon a fair competitive basis the minimum prices and the rules and regulations proposed by them, respectively, under subsection (a) hereof. Such coordination, among other factors, but without limitation, shall take into account the various kinds, qualities, and sizes of coal, and transportation charges upon coal. All minimum prices proposed for any kind, quality, or size of coal for shipment into any common consuming market area shall be just and equitable, and not unduly prejudicial or preferential, as between and among districts, shall reflect, as nearly as possible, the relative market values, at points of delivery in each common consuming market area, of the various kinds, qualities, and sizes of coal produced in the various districts, taking into account values as to uses, seasonal demand, transportation methods and charges and their effect upon a reasonable opportunity to compete on a fair basis, and the competitive relationships between coal and other forms of fuel and energy; and shall preserve as nearly as may be existing fair competitive opportunities. The minimum prices proposed as a result of such coordination shall not, as to any district, reduce or increase the return per net ton upon all the coal produced therein below or above the minimum return as provided in subsection (a) of this section by an amount greater than necessary to accomplish

Antidumping provision.

Determination of costs of tonnage produced in 1936, by district boards.

Adjustments to reflect changes.

Submission of determination to Commission.

Determination of weighted average of total costs.

Use as basis in establishing minimum prices.

Changes.

Availability of figures.

Rules respecting sale and distribution.

Action by Commission.

Coordination of minimum prices and rules in market areas.

Requirements of minimum prices.

Effect of coordinated minimum prices.



Submission to Commission.

Establishment of minimum prices and rules and regulations.

Maximum prices; establishment by Commission to protect consumer.

*Proviso.*  
Maintenance of fair return.

Complaints by code member, district board, etc.

Notice and hearing.

Preliminary or temporary orders.

Code prices, prohibition on sales below minimum or above maximum.

*Proviso.*  
Contracts prior to June 16, 1933.

Unenforceable, etc., contracts.

Restriction on contracts until prices established.

Sale below minimum or above maximum price prohibited.

such coordination, to the end that the return per net ton upon the entire tonnage of the minimum price area shall approximate the weighted average of the total cost per net ton of the tonnage of such minimum price area. Such coordinated prices and rules and regulations, together with the data upon which they are predicated, shall be submitted to the Commission. The Commission shall thereupon establish, and from time to time, upon complaint or upon its own motion, review and revise the effective minimum prices and rules and regulations in accordance with the standards set forth in subsections (a) and (b) of part II of this section.

(c) When, in the public interest, the Commission deems it necessary to establish maximum prices for coal in order to protect the consumer of coal against unreasonably high prices therefor, the Commission shall have the power to establish maximum prices free on board transportation facilities for coal in any district. Such maximum prices shall be established at a uniform increase above the minimum prices in effect within the district at the time, so that in the aggregate the maximum prices shall yield a reasonable return above the weighted average total cost of the district: *Provided*, That no maximum price shall be established for any mine which shall not yield a fair return on the fair value of the property.

(d) If any code member or district board or member thereof, or any State or political subdivision of a State, or the consumers' counsel, shall be dissatisfied with such coordination of prices or rules and regulations, or by a failure to establish such coordination of prices or rules and regulations, or by any minimum or maximum prices established pursuant to subsections (b) or (c) of part II of this section, he or it shall have the right, by petition, to make complaint to the Commission, and the Commission shall, under rules and regulations established by it, and after notice and hearing, make such order as may be required to effectuate the purpose of subsections (b) and (c) of part II of this section. Pending final disposition of such petition, and upon reasonable showing of necessity therefor, the Commission may make such preliminary or temporary order as in its judgment may be appropriate, and not inconsistent with the provisions of this Act.

(e) No coal subject to the provisions of this section shall be sold or delivered or offered for sale at a price below the minimum or above the maximum therefor established by the Commission, and the sale or delivery or offer for sale of coal at a price below such minimum or above such maximum shall constitute a violation of the code: *Provided*, That the provisions of this paragraph shall not apply to a lawful and bona fide written contract entered into prior to June 16, 1933.

The making of a contract for the sale of coal at a price below the minimum or above the maximum therefor established by the Commission at the time of the making of the contract shall constitute a violation of the code, and such contract shall be invalid and unenforceable.

From and after the date of approval of this Act, until prices shall have been established pursuant to subsections (a) and (b) of part II of this section, no contract for the sale of coal shall be made providing for delivery for a period longer than thirty days from the date of the contract.

No contract shall be made for the sale of coal for delivery after the expiration date of this Act at a price below the minimum or above the maximum therefor established by the Commission, and in effect at the time of making the contract.

The minimum prices established in accordance with the provisions of this section shall not apply to coal sold and shipped outside the domestic market. The domestic market shall include all points within the continental United States and Canada, and car-ferry shipments to the island of Cuba. Bunker coal delivered to steamships for consumption thereon shall be regarded as shipped within the domestic market. Maximum prices established in accordance with the provisions of this section shall not apply to coal sold and shipped outside the continental United States.

(f) All data, reports, and other information in the possession of any agency of the United States in relation to coal shall be available to the Commission and to the office of the consumers' counsel for the administration of this Act.

(g) The price provisions of this Act shall not be evaded or violated by or through the use of docks or other storage facilities or transportation facilities, or by or through the use of subsidiaries, affiliated sales or transportation companies or other intermediaries or instrumentalities, or by or through the absorption, directly or indirectly, of any transportation or incidental charge of whatsoever kind or character, or any part thereof. The Commission is hereby authorized, after investigation and hearing, and upon notice to the interested parties, to make and issue rules and regulations to make this subsection effective.

(h) The Commission shall, by order, prescribe due and reasonable maximum discounts or price allowances that may be made by code members to persons (whether or not code members), herein referred to as "distributors", who purchase coal for resale and resell it in not less than cargo or railroad carload lots; and shall require the maintenance and observance by such persons, in the resale of such coal, of the prices and marketing rules and regulations established under this section.

#### UNFAIR METHODS OF COMPETITION

(i) The following practices with respect to coal shall be unfair methods of competition and shall constitute violations of the code:

1. The consignment of unordered coal, or the forwarding of coal which has not actually been sold, consigned to the producer or his agent: *Provided, however*, That coal which has not actually been sold may be forwarded, consigned to the producer or his agent at rail or track yards, tidewater ports, river ports, or lake ports, or docks beyond such ports, when for application to any of the following classes: Bunker coal, coal applicable against existing contracts, coal for storage (other than in railroad cars) by the producer or his agent in rail or track yards or on docks, wharves, or other yards for resale by the producer or his agent.

2. The adjustment of claims with purchasers of coal in such manner as to grant secret allowances, secret rebates, or secret concessions, or other price discrimination.

3. The prepayment of freight charges with intent to or having the effect of granting a discriminatory credit allowance.

4. The granting in any form of adjustments, allowances, discounts, credits, or refunds to purchasers or sellers of coal, for the purposes or with the effect of altering retroactively a price previously agreed upon, in such manner as to create price discrimination.

5. The predating or postdating of any invoice or contract for the purchase or sale of coal, except to conform to a bona-fide agreement for the purchase or sale entered into on the predate.

Coal shipped outside domestic market exempt.

Area included.

Bunker coal.

Shipments outside continental United States.

Availability of information.

Price provision evasion prohibited.

Administrative rules, etc.

Resales in cargo or carload lots.

Unfair methods of competition.

Specified practices deemed code violations.

Consignment of unordered coal.

*Proviso.*  
Exception.

Secret concessions, etc.

Prepaying freight charges resulting in discriminatory credit allowance.  
Price discriminations.

Predating or postdating invoices.

Discriminatory payments, etc.

6. The payment or allowance in any form or by any device of rebates, refunds, credits, or unearned discounts, or the extension to certain purchasers of services or privileges not extended to all purchasers under like terms and conditions, or under similar circumstances.

Bribery, etc.

7. The attempt to purchase business, or to obtain information concerning a competitor's business by concession, gifts, or bribes.

Misrepresenting character, etc., of coal.

8. The intentional misrepresentation of any analysis or of analyses, or of sizes, or the intentional making, causing, or permitting to be made, or publishing, of any false, untrue, misleading, or deceptive statement by way of advertising, invoicing, or otherwise concerning the size, quality, character, nature, preparation, or origin of any coal bought, sold, or consigned.

Unauthorized use of competitor's trade marks, etc.

9. The unauthorized use, whether in written or oral form, of trademarks, trade names, slogans, or advertising matter already adopted by a competitor, or any deceptive approximation thereof.

Inducing breach of competitor's contract.

10. Inducing or attempting to induce, by any means or device whatsoever, a breach of contract between a competitor and his customer during the term of such contract.

Splitting commissions, etc.

11. Splitting or dividing commissions, brokers' fees, or brokerage discounts, or otherwise in any manner directly or indirectly using brokerage commissions or jobbers' arrangements or sales agencies for making discounts, allowances, or rebates, or prices other than those determined under this Act, to any industrial consumer or to any retailers, or to others, whether of a like or different class.

Selling to agent of retailer or industrial consumer, etc.

12. Selling to, or through, any broker, jobber, commission account, or sales agency, which is in fact or in effect an agency or an instrumentality of a retailer or an industrial consumer or of an organization of retailers or industrial consumers, whereby they are<sup>1</sup> any of them secure either directly or indirectly a discount, dividend, allowance, or rebates, or a price other than that determined in the manner prescribed by this Act.

Compensation obviously disproportionate to services rendered.

13. Employing any person or appointing any sales agent, at a compensation obviously disproportionate to the ordinary value of the service or services rendered, and whose employment or appointment is made with the primary intention and purpose of securing preferment with a purchaser or purchasers of coal.

Sales through farmers' cooperative organizations.

It shall not be an unfair method of competition or a violation of the code or any requirement of this Act (1) to sell to or through any bona-fide and legitimate farmers' cooperative organization duly organized under the laws of any State, Territory, the District of Columbia, or the United States whether or not such organization grants rebates, discounts, patronage dividends, or other similar benefits to its members; (2) to sell through any intervening agency to any such cooperative organization; or (3) to pay or allow to any such cooperative organization or to any such intervening agency any discount, commission, rebate, or dividend ordinarily paid or allowed, or permitted by the code to be paid or allowed, to other purchasers for purchases in wholesale or middleman quantities.

Sales through an intervening, etc., agency.

Rebates for purchases in wholesale, etc., quantities.

Jurisdiction of Commission over code violations.

(j) The Commission shall have jurisdiction to hear and determine written complaints made by any code member, district board, or member thereof, State or political subdivision of a State, or the consumers' counsel, which charge any violation of the code specified in part II of this section. It shall make and publish rules and regulations for the consideration and hearing of any such complaint, and all interested parties shall be required to conform thereto. The Commission shall make due effort toward adjustment of such complaints and shall endeavor to compose the differences of the parties, and

Rules respecting hearings.

Adjustments.

<sup>1</sup> So in original.

shall make such order or orders in the premises, from time to time, as the facts and the circumstances warrant. Any such order shall be subject to review as are other orders of the Commission.

(k) In the investigation of any complaint or violation of the code, or of any rule or regulation the observance of which is required under the terms thereof, the Commission shall have power by order to require such reports from, and shall be given access to inspect the books and records of, code members to the extent deemed necessary for the purpose of determining the complaint. Any such order shall be subject to review as are other orders of the Commission.

(l) The provisions of this section shall not apply to coal consumed by the producer or to coal transported by the producer to himself for consumption by him.

SEC. 4-A. Whenever the Commission upon investigation instituted upon its own motion or upon petition of any code member, district board, State or political subdivision thereof, or the consumers' counsel, after hearing finds that transactions in coal in intrastate commerce by any person or in any locality cause any undue or unreasonable advantage, preference, or prejudice as between persons and localities in such commerce on the one hand and interstate commerce in coal on the other hand, or any undue, unreasonable, or unjust discrimination against interstate commerce in coal, or in any manner directly affect interstate commerce in coal, the Commission shall by order so declare and thereafter coal sold, delivered or offered for sale in such intrastate commerce shall be subject to the provisions of section 4.

Any producer believing that any commerce in coal is not subject to the provisions of section 4 or to the provisions of the first paragraph of this section may file with the Commission an application, verified by oath or affirmation for exemption, setting forth the facts upon which such claim is based. The filing of such application in good faith shall exempt the applicant, beginning with the third day following the filing of the application, from any obligation, duty, or liability imposed by section 4 with respect to the commerce covered by the application until such time as the Commission shall act upon the application. If the Commission has reason to believe that such exemption during the period prior to action upon the application is likely to permit evasion of the Act with respect to commerce in coal properly subject to the provisions of section 4 or of the first paragraph of this section, it may suspend the exemption for a period not to exceed ten days. Within a reasonable time after the receipt of any application for exemption the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying or otherwise disposing of such application. As a condition to the entry of and as a part of any order granting such application, the Commission may require the applicant to apply periodically for renewals of such order and to file such periodic reports as the Commission may find necessary or appropriate to enable it to determine whether the conditions supporting the exemption continue to exist. Any applicant aggrieved by an order denying or otherwise disposing of an application for exemption by the Commission may obtain a review of such order in the manner provided in subsection (b) of section 6.

#### ORGANIZATION OF THE CODE

SEC. 5 (a) Upon the appointment of the Commission it shall at once promulgate said code and assist in the organization of the district boards as provided for in section 4, and shall prepare and

Review of orders.

Reports, etc., required.

Review of orders.

Coal consumed by producer.

Transactions in intrastate commerce affecting interstate commerce, subject to code.

Exemptions.

Application.

Suspension of exemption if likely to permit evasion of Act.

Ruling subject to review.

Organization of the code.

Commission to promulgate code and assist in organizing district boards.

supply to all coal producers forms of acceptance for membership therein. Such forms of acceptances, when executed, shall be acknowledged before any official authorized to take acknowledgments.

Revocation of code membership and right to tax exemption.

Hearing.

*Provided.*  
Cease and desist orders.

Enforcement.

Record of proceedings, etc.

Findings, upon revoking membership.

Restoration to membership.

*Ante*, p. 75.

(b) The membership of any such coal producer in such code and his right to an exemption from the taxes imposed by section 3 (b) of this Act, may be revoked by the Commission upon written complaint by any code member or district board, or any State or political subdivision of a State, or the consumers' counsel, after a hearing, with thirty days' written notice to the member, upon proof that such member has willfully violated any provision of the code or any regulation made thereunder; and in such a hearing any code member or district board, or any State or political subdivision of a State, or the consumers' counsel, or any consumer or employee, and the Commissioner of Internal Revenue, shall be entitled to present evidence and be heard: *Provided*, That the Commission, in its discretion, may in such case make an order directing the code member to cease and desist from violations of the code and regulations made thereunder and upon failure of the code member to comply with such order the Commission may apply to a circuit court of appeals to enforce such order in accordance with the provisions of subsection (c) of section 6 or may reopen the case upon ten days' notice to the code member affected and proceed in the hearing thereof as above provided.

The Commission shall keep a record of the evidence heard by it in any proceeding to cancel or revoke the membership of any code member and its findings of fact, if supported by substantial evidence, shall be conclusive upon any proceeding to review the action and order of the Commission in any court of the United States.

In making an order revoking membership in the code as in this subsection provided, the Commission shall specifically find (1) the day or days on which the violations occurred; (2) the quantity of coal sold or otherwise disposed of in violation of the code or regulations thereunder; (3) the sales price at the mine or the market value at the mine if disposed of otherwise than by sale at the mine, or if sold otherwise than through an arms' length transaction, of the coal sold or otherwise disposed of by such code member in violation of the code or regulations thereunder; (4) the minimum price established by the Commission for such coal and in effect at the time of such sale or other disposal; (5) the amount of tax required to be paid by the code member as a condition to reinstatement to membership in the code as in subsection (c) hereof provided.

(c) Any producer whose membership in the code and whose right to an exemption from the tax imposed by section 3 (b) of this Act shall have been revoked and canceled may apply to the Commission and shall have the right to have his membership in the code restored upon payment by him to the United States of double the amount of the tax provided in section 3 (b) upon the sales price at the mine, or the market value at the mine if disposed of otherwise than by sale at the mine, or if sold otherwise than through an arms' length transaction, of the coal sold or disposed of by the code member in violation of the code or regulations thereunder (but in no case shall such sales price or market value be taken to be less than the minimum price established by the Commission for such coal and in effect at the time of such sale or other disposal), as found by the Commission under subsection (b) hereof. The Commission shall thereupon certify to the Commissioner of Internal Revenue and to the collector of internal revenue for the internal revenue collection district in which the producer resides the amount of the required payment as found under clause (5) of subsection (b), and upon payment of such amount

to the Commissioner or the collector such officer shall notify the Commission thereof.

(d) Any code member who shall be injured in his business or property by any other code member by reason of the doing of any act which is forbidden or the failure to do any act which is required by this Act or by the code or any regulation made thereunder, may sue therefor in any court of competent jurisdiction where the defendant resides, or is found or has an agent or a place of business, without respect to the amount in controversy, and shall recover threefold damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

SEC. 6. (a) All rules, regulations, determinations, and promulgations of any district board shall be subject to review by the Commission upon appeal by any producer and upon just cause shown shall be amenable to the order of the Commission; and appeal to the Commission shall be a matter of right in all cases to every producer and to all parties in interest, including any State or any political subdivision thereof. In the event that a district board shall fail, for any reason, to take action authorized or required by this Act, then the Commission may take such action in lieu of the district board. The Commission may also provide rules for the determination of controversies arising under this Act by voluntary submission thereof to arbitration, which determination shall be final and conclusive.

(b) Any person aggrieved by an order issued by the Commission in a proceeding to which such person is a party may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, and enforce or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged below. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Suits by code member for code violations, etc.

Damages and costs.

Review of district board's actions.

Action by Commission upon failure of district board to act. Arbitration.

Appeal from Commission's order.

Petition to be filed.

Service of copy on Commission.

Filing transcript of record.

Court jurisdiction.

Finding of facts, etc.

Additional evidence.

Modification of findings of facts.

Finality of judgment and decree.

Review.  
28 U. S. C. §§ 346, 347.

Commencement of proceedings not to stay Commission's order.

Enforcement of Commission's order.

Jurisdiction of court.

Findings of fact.

Additional evidence.

Modification of findings of fact.

Finality of judgment and decree.

28 U. S. C. §§ 346, 347.

Review.

Laws applicable to tax provisions.  
47 Stat. 259.

General authority of Commission.

Refusals to obey subpoena.

The commencement of proceedings under this subsection shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

(c) If any code member fails or neglects to obey any order of the Commission while the same is in effect, the Commission in its discretion may apply to the Circuit Court of Appeals of the United States within any circuit where such code member resides or carries on business, for the enforcement of its order, and shall certify and file with its application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the Commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such code member and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside the order of the Commission. The findings of the Commission as to facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper.

The Commission may modify its findings as to the facts or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which if supported by substantial evidence shall be conclusive, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(d) The jurisdiction of the Circuit Court of Appeals of the United States or the United States Court of Appeals for the District of Columbia, as the case may be, to enforce, set aside, or modify orders of the Commission shall be exclusive.

SEC. 7. All provisions of law, including penalties and refunds, applicable in respect of the taxes imposed by Title IV of the Revenue Act of 1932, as amended, shall, insofar as applicable and not inconsistent with the provisions of this Act, be applicable with respect to taxes imposed under this Act.

SEC. 8. (a) The members of the Commission are authorized to administer oaths to witnesses appearing before the Commission and to authorize the taking of depositions in any proceedings; and, for the purpose of conducting its investigations, said Commission shall have full power to issue subpoenas and subpoenas duces tecum, which shall be as nearly as may be in the form of subpoenas issued by district courts of the United States. In case of contumacy by or refusal to obey a subpoena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records. Upon the filing of the

application for such aid with the clerk of the court the court shall, either in term time or vacation, forthwith enter an order of record, requiring such person to appear before such court at a time stated in the order not more than ten days from the entry of the order (unless for good cause shown such time is extended), and show cause why he should not be required to obey such subpoena, and upon his failure to show cause it shall be the duty of the court to order such witness to appear before the said Commission and give such testimony or produce such evidence as may be lawfully required by said Commission. The district court, either in term time or vacation, shall have full power to punish for contempt as in other cases of refusal to obey the process and order of such court. Witnesses summoned before the Commission or when depositions are taken upon order of the Commission, shall be paid the same fees and mileage as are paid witnesses in the courts of the United States, and officers taking such depositions shall be paid the same fees as are paid for like services in courts of the United States.

Contempt; punishment.

(b) No person shall be excused from attending and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Commission, or in obedience to the subpoena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Testimony, records, etc., required.

SEC. 9. (a) It is hereby declared to be the public policy of the United States that—

Labor, etc., provisions.  
Policy declared.

(1) Employees of producers of coal shall have the right to organize and to bargain collectively with respect to their hours of labor, wages, and working conditions through representatives of their own choosing, without restraint, coercion, or interference on the part of the producers.

Employees' right to organize and bargain collectively.

(2) No producer shall interfere with, restrain, or coerce employees in the exercise of their said rights, nor discharge or discriminate against any employee for the exercise of such rights.

Exercise of rights without restraint.

(3) No employee of any producer and no one seeking employment with him or it shall be required as a condition of employment to join any association of employees for collective bargaining in the management of which the producer has any share of direction or control.

Employee not compelled to join producer-controlled union.

(b) No coal (except coal with respect to which no bid is required by law prior to purchase thereof) shall be purchased by the United States, or by any department or agency thereof, produced at any mine where the producer failed at the time of the production of such coal to accord to his or its employees the rights set forth in subsection (a) of this section.

United States, etc., purchasing from producer failing to comply with requirements.

(c) On the complaint of any employee of a producer of coal, or other interested party, the Commission may hold a hearing to determine whether any producer supplying coal for the use of the United States or any agency thereof, is complying with the provisions of subsection (a) of this section. If the Commission shall find that such producer is not complying with such provisions, it shall certify its

Hearings on complaint of employee.

Certifying findings to agency concerned.



Termination of contract.

Designated Acts not affected.

47 Stat. 70.  
29 U. S. C. § 101.  
49 Stat. 449.  
29 U. S. C., Supp. II, § 151.  
49 Stat. 2036.  
41 U. S. C., Supp. II, § 35.

Reports and accounts of producers.

Information considered confidential.

Penalty for violation.

Failing to file report; penalty.

Recovery of fine by civil suit.

Duties of district attorneys.

State laws.

Combination creating marketing agency for disposal of competitive coals in interstate commerce.

Cooperative marketing provisions.

findings to the department or agency concerned. Such department or agency shall thereupon declare the contract for the supply of the coal of such producer to be canceled and terminated.

(d) Nothing contained in this Act or section shall be construed to repeal or modify the provisions of the Act of March 23, 1932 (ch. 90, 47 Stat. 70), or of the Act of July 5, 1935 (ch. 372, 49 Stat. 449), known as the National Labor Relations Act, or of any other Act of Congress regarding labor relations or rights of employees to organize or bargain collectively, or of the Act of June 30, 1936 (ch. 881, 49 Stat. 2036).

SEC. 10. (a) The Commission may require reports from producers and may use such other sources of information available as it deems advisable, and may require producers to maintain a uniform system of accounting of costs, wages, operations, sales, profits, losses, and such other matters as may be required in the administration of this Act. No information obtained from a producer disclosing costs of production or sales realization shall be made public without the consent of the producer from whom the same shall have been obtained, except where such disclosure is made in evidence in any hearing before the Commission or any court and except that such information may be compiled in composite form in such manner as shall not be injurious to the interests of any producer and, as so compiled, may be published by the Commission.

(b) Any officer or employee of the Commission or of any district board who shall, in violation of the provisions of subsection (a), make public any information obtained by the Commission or the district board, without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$500, or by imprisonment not exceeding six months, or by both fine and imprisonment, in the discretion of the court.

(c) If any producer required by this Act or the code or regulation made thereunder to file a report shall fail to do so within the time fixed for filing the same, and such failure shall continue for fifteen days after notice of such default, the producer shall forfeit to the United States the sum of \$50 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States, brought in the district where the producer has his principal office or in any district in which he shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeiture.

SEC. 11. State laws regulating the mining of coal not inconsistent herewith are not affected by this Act.

SEC. 12. Any combination between producers creating a marketing agency for the disposal of competitive coals in interstate commerce or in intrastate commerce directly affecting interstate commerce in coal at prices to be determined by such agency, or by the agreement of the producers operating through such agency, shall, after promulgation of the code provided for in section 4, be unlawful as a restraint of interstate trade and commerce within the provisions of the Act of Congress of July 2, 1890, known as the Sherman Act, and Acts amendatory and supplemental thereto, unless such producers have accepted the code provided for in section 4 and shall comply with its provisions.

Subject to the approval of the Commission, a marketing agency may, as to its members, or such marketing agencies may, as between

and among themselves, provide for the cooperative marketing of their coal, at prices not below the effective minimum prices nor above the effective maximum prices prescribed in accordance with section 4: *Provided*, That no such approval shall be granted by the Commission unless it shall find that the agreement under which such agency or agencies propose to function (1) will not unreasonably restrict the supply of coal in interstate commerce, (2) will not prevent the public from receiving coal at fair and reasonable prices, (3) will not operate against the public interest, and (4) that each such agency and its members have agreed to observe the effective marketing regulations and minimum and maximum prices from time to time established by the Commission and otherwise to conduct the business and operations of the agency in conformity with reasonable regulations for the protection of the public interest, to be prescribed by the Commission.

*Proviso.*  
Conditions stipu-  
lated.

The Commission may, by order, upon complaint of any code member, district board, or member thereof, any State or political subdivision thereof, the consumers' counsel or any other interested person, or on its own motion, suspend or revoke its prior approval of any such marketing agency agreement upon finding that the regulations and orders of the Commission or the requirements of this section have been violated. Unless and until the approval of the Commission is suspended or revoked, neither the agreement creating such marketing agency nor any agreement between such agencies, which has been approved by the Commission, nor any act done in pursuance thereof, by such agency or agencies, or the members thereof, and not in violation of the terms of the Commission's approval, shall be construed to be within the prohibitions of the antitrust laws of the United States.

Commission may  
suspend or revoke ap-  
proval for violations.

SEC. 13. If any provision of this Act or the code provided herein, or any section, subsection, paragraph, or proviso, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act or code, and the application thereof to other persons or circumstances, shall not be affected thereby; and if either or any of the provisions of this Act or code relating to prices or unfair methods of competition shall be found to be invalid, they shall be held separable from other provisions not in themselves found to be invalid.

Separability provi-  
sions.

#### OTHER DUTIES OF THE COMMISSION

SEC. 14. (a) The Commission shall study and investigate the matter of increasing the uses of coal and the problems of its importation and exportation; and shall further investigate—

Other duties of  
Commission.

(1) The economic operations of mines with the view to the conservation of the national coal resources.

(2) The safe operation of mines for the purpose of minimizing working hazards, and for such purpose shall be authorized to utilize the services of the Bureau of Mines.

Studies and inves-  
tigations.

(3) The problem of marketing to lower distributing costs for the benefit of consumers.

(4) The Commission shall, as soon as reasonably possible after its appointment, investigate the necessity for the control of production of coal and methods of such control, including allotment of output to districts and producers within such districts and shall hold hearings thereon.

(b) The Commission shall annually report the results of its investigations under this section, together with its recommendations, to the Secretary of the Interior for transmission by him to Congress.

Reports of investi-  
gations.

Complaints respecting excessive coal prices.

Correction of abuses.

Complaints to Interstate Commerce Commission respecting transportation costs.

Definitions.

"Coal."

"Bituminous coal."

"Producer."

"Interstate commerce."

"United States."

Effective date of Section 3.  
*Amc.*, p. 75.

Of other sections.

Duration.  
Liabilities, etc., not affected.  
R. S. § 13.  
1 U. S. C. § 20.

Bituminous Coal Conservation Act of 1935 repealed.  
49 Stat. 901.  
15 U. S. C., Supp. II, §§ 801-827.

SEC. 15. Upon substantial complaint that coal prices are excessive, and oppressive of consumers, or that any district board, or producers' marketing agency, is operating against the public interest, or in violation of this Act, the Commission may hear such complaint, and its findings shall be made public; and the Commission shall make proper orders within the purview of this Act so as to correct such abuses. The Commission may institute proceedings under this section, and complaints may be made by any State or political subdivision of a State or by the consumers' counsel.

SEC. 16. To safeguard the interests of those concerned in the mining, transportation, selling, and consumption of coal, the Commission or the office of consumers' counsel is hereby vested with authority to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of coal, and to prosecute the same. Before proceeding to hear and dispose of any complaint filed by another than the Commission, involving the transportation of coal, the Interstate Commerce Commission shall cause the Commission and the office of consumers' counsel to be notified of the proceeding and, upon application to the Interstate Commerce Commission, shall permit the Commission and consumers' counsel to appear and be heard. The Interstate Commerce Commission is authorized to avail itself of the cooperation, services, records, and facilities of the Commission.

SEC. 17. As used in this Act—

(a) The term "coal" means bituminous coal.

(b) The term "bituminous coal" includes all bituminous, semi-bituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignitic coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place in the mine of 30 per centum or more.

(c) The term "producer" includes all individuals, firms, associations, corporations, trustees, and receivers engaged in the business of mining coal.

(d) The term "interstate commerce" means commerce among the several States and Territories, with foreign nations, and with the District of Columbia.

(e) The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

SEC. 18. Section 3 of this Act shall become effective on the first day of the second calendar month after the enactment of this Act, unless the Commission shall not at that time have promulgated the code and forms of acceptance for membership therein, in which event section 3 of this Act shall become effective from and after the date when the Commission shall have promulgated the code and such forms of acceptances, which date shall be promulgated by Executive order of the President of the United States. All other sections, except section 20 (a), of this Act shall become effective on the day of the approval of this Act.

SEC. 19. This Act shall cease to be in effect (except as provided in section 13 of the Revised Statutes) and any agencies and offices established thereunder shall cease to exist on and after four years from the date of the approval of this Act.

SEC. 20. (a) The Bituminous Coal Conservation Act of 1935 is hereby repealed, but such repeal shall not be effective until the consumers' counsel and a majority of the members of the Commission have been appointed.

(b) There is hereby authorized to be appropriated from time to time such sums as may be necessary for the administration of this Act. All sums heretofore or hereafter appropriated or made available to the National Bituminous Coal Commission and to the consumers' counsel of the National Bituminous Coal Commission established under the Bituminous Coal Conservation Act of 1935 are hereby transferred and made available for the uses and during the periods for which appropriated, in the administration of this Act by the National Bituminous Coal Commission and the office of the consumers' counsel herein created.

Appropriation authorized.

Availability of other funds.

(c) The records, property, and equipment of the National Bituminous Coal Commission and the consumers' counsel, respectively, established under the Bituminous Coal Conservation Act of 1935 are hereby transferred to the Commission and the consumers' counsel, respectively, established under this Act.

Transfer of records, etc.

Sec. 21. This Act may be cited as the Bituminous Coal Act of 1937.

Short title.

## ANNEX TO ACT—SCHEDULE OF DISTRICTS

Annex to Act—Schedule of districts.

### EASTERN PENNSYLVANIA

District 1. The following counties in Pennsylvania: Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Elk, Forest, Fulton, Huntingdon, Jefferson, Lycoming, McKean, Mifflin, Potter, Somerset, Tioga.

Eastern Pennsylvania.

Armstrong County, including mines served by the P. & S. R. R. on the west bank of the Allegheny River, and north of the Conemaugh division of the Pennsylvania Railroad.

Fayette County, all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Indiana County, north of but excluding the Saltsburg branch of the Pennsylvania Railroad between Edri and Blairsville, both exclusive.

Westmoreland County, including all mines served by the Pennsylvania Railroad, Torrance, and east.

All coal-producing counties in the State of Maryland.

The following counties in West Virginia: Grant, Mineral, and Tucker.

### WESTERN PENNSYLVANIA

District 2. The following counties in Pennsylvania: Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Venango, Washington.

Western Pennsylvania.

Armstrong County, west of the Allegheny River and exclusive of mines served by the P. & S. R. R.

Indiana County, including all mines served on the Saltsburg branch of the Pennsylvania Railroad north of Conemaugh River.

Fayette County, except all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Westmoreland County, including all mines except those served by the Pennsylvania Railroad from Torrance, east.

### NORTHERN WEST VIRGINIA

District 3. The following counties in West Virginia: Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Lewis, Marion, Monongalia, Pleasants, Preston, Randolph, Ritchie, Roane, Taylor, Tyler, Upshur, Webster, Wetzel, Wirt, Wood.

Northern West Virginia.

That part of Nicholas County including mines served by the Baltimore and Ohio Railroad and north.

## OHIO

Ohio. District 4. All coal-producing counties in Ohio.

## MICHIGAN

Michigan. District 5. All coal-producing counties in Michigan.

## PANHANDLE

Panhandle. District 6. The following counties in West Virginia: Brooke, Hancock, Marshall, and Ohio.

## SOUTHERN NUMBERED 1

1. Southern numbered

District 7. The following counties in West Virginia: Greenbrier, Mercer, Monroe, Pocahontas, Summers.

Fayette County, east of Gauley River and including the Gauley River branch of the Chesapeake and Ohio Railroad and mines served by the Virginian Railway.

McDowell County, that portion served by the Dry Fork branch of the Norfolk and Western Railroad and east thereof.

Raleigh County, excluding all mines on the Coal River branch of the Chesapeake and Ohio Railroad.

Wyoming County, that portion served by the Gilbert Branch of the Virginian Railway lying east of the mouth of Skin Fork of Guyandot River and that portion served by the main line and the Glen Rogers branch of the Virginian Railway.

The following counties in Virginia: Montgomery, Pulaski, Wythe, Giles, Craig.

Tazewell County, that portion served by the Dry Fork branch to Cedar Bluff and from Bluestone Junction to Boissevain branch of the Norfolk and Western Railroad and Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

Buchanan County, that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad and that portion of said county on the headwaters of Dismal Creek, east of Lynn Camp Creek (a tributary of Dismal Creek).

## SOUTHERN NUMBERED 2

2. Southern numbered

District 8. The following counties in West Virginia: Boone, Clay, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Wayne, Cabell.

Fayette County, west of, but not including mines of the Gauley River branch of the Chesapeake and Ohio Railroad.

McDowell County, that portion not served by and lying west of the Dry Fork branch of the Norfolk and Western Railroad.

Raleigh County, all mines on the Coal River branch of the Chesapeake and Ohio Railroad and north thereof.

Nicholas County, that part south of and not served by the Baltimore and Ohio Railroad.

Wyoming County, that portion served by Gilbert branch of the Virginian Railway lying west of the mouth of Skin Fork of Guyandot River.

The following counties in Virginia: Dickinson, Lee, Russell, Scott, Wise.

All of Buchanan County, except that portion on the headwaters of Dismal Creek, east of Lynn Camp Creek (tributary of Dismal Creek) and that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

Tazewell County, except portions served by the Dry Fork branch of Norfolk and Western Railroad and branch from Bluestone Junc-

tion to Boissevain of Norfolk and Western Railroad and Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

The following counties in Kentucky: Bell, Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, McCreary, Magoffin, Martin, Morgan, Owsley, Perry, Pike, Rockcastle, Wayne, Whitley.

The following counties in Tennessee: Anderson, Campbell, Claiborne, Cumberland, Fentress, Morgan, Overton, Roane, Scott.

The following counties in North Carolina: Lee, Chatham, Moore.

#### WEST KENTUCKY

District 9. The following counties in Kentucky: Butler, Christian, Crittenden, Daviess, Hancock, Henderson, Hopkins, Logan, McLean, Muhlenberg, Ohio, Simpson, Todd, Union, Warren, Webster.

West Kentucky.

#### ILLINOIS

District 10. All coal-producing counties in Illinois.

Illinois.

#### INDIANA

District 11. All coal-producing counties in Indiana.

Indiana.

#### IOWA

District 12. All coal-producing counties in Iowa.

Iowa.

#### SOUTHEASTERN

District 13. All coal-producing counties in Alabama.

Southeastern.

The following counties in Georgia: Dade, Walker.

The following counties in Tennessee: Marion, Grundy, Hamilton, Bledsoe, Sequatchie, White, Van Buren, Warren, McMinn, Rhea.

#### ARKANSAS-OKLAHOMA

District 14. The following counties in Arkansas: All counties in the State.

Arkansas-Oklahoma.

The following counties in Oklahoma: Haskell, Le Flore, Sequoyah.

#### SOUTHWESTERN

District 15. All coal-producing counties in Kansas. All coal-producing counties in Texas. All coal-producing counties in Missouri.

Southwestern.

The following counties in Oklahoma: Coal, Craig, Latimer, Muskogee, Okmulgee, Pittsburg, Rogers, Tulsa, Wagoner.

#### NORTHERN COLORADO

District 16. The following counties in Colorado: Adams, Arapahoe, Boulder, Douglas, Elbert, El Paso, Jackson, Jefferson, Larimer, Weld.

Northern Colorado.

#### SOUTHERN COLORADO

District 17. The following counties in Colorado: All counties not included in northern Colorado district.

Southern Colorado.

The following counties in New Mexico: All coal-producing counties in the State of New Mexico, except those included in the New Mexico district.

#### NEW MEXICO

District 18. The following counties in New Mexico: Grant, Lincoln, McKinley, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro.

New Mexico.

The following counties in Arizona: Pinal, Navajo, Graham, Apache, Coconino.  
All coal-producing counties in California.

## WYOMING

Wyoming.

District 19. All coal-producing counties in Wyoming.  
The following counties in Idaho: Fremont, Jefferson, Madison, Teton, Bonneville, Bingham, Bannock, Power, Caribou, Oneida, Franklin, Bear Lake.

## UTAH

Utah.

District 20. All coal-producing counties in Utah.

## NORTH DAKOTA-SOUTH DAKOTA

North Dakota-South Dakota.

District 21. All coal-producing counties in North Dakota. All coal-producing counties in South Dakota.

## MONTANA

Montana.

District 22. All coal-producing counties in Montana.

## WASHINGTON

Washington.

District 23. All coal-producing counties in Washington. All coal-producing counties in Oregon.  
The Territory of Alaska.  
Approved, April 26, 1937.

## [CHAPTER 130]

## AN ACT

April 26, 1937  
[S. 1280]  
[Public, No. 49]

To repeal an Act of March 3, 1933, entitled "An Act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes."

Transfer of deteriorated explosives for agricultural purposes; Act repealed.  
47 Stat. 1486.  
10 U. S. C. § 1210a.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress entitled "An Act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes", approved March 3, 1933, be, and the same is hereby, repealed.

Approved, April 26, 1937.

## [CHAPTER 131]

## AN ACT

April 26, 1937  
[S. 1897]  
[Public, No. 50]

To extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near La Crosse, Wisconsin.

Mississippi River. Time extended for bridging, at La Crosse, Wis.  
49 Stat. 1531.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near La Crosse, Wisconsin, authorized to be built by the State of Wisconsin, by the Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1937.

## [CHAPTER 134]

## AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

April 27, 1937  
[S. 1173]  
[Public, No. 51]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by revising the first paragraph under the heading "Ohio River Basin" to read as follows:

Flood Control Act of 1936, amendment. 49 Stat. 1586. Post, p. 880.

"Reservoir system for the protection of Pittsburgh: Construction of reservoirs for the Allegheny-Monongahela Basin as in comprehensive plan for the protection of Pittsburgh and for the reduction of flood heights in the Ohio Valley generally, as set forth in House Document Numbered 306, Seventy-fourth Congress, first session, and in the report on the Allegheny-Monongahela Rivers and tributaries on record in the Office of the Chief of Engineers, with such revisions or modifications as may be found advisable by the Chief of Engineers upon further investigation; estimated construction cost, \$20,646,000; estimated cost of lands and damages, \$34,569,000."

Ohio River Basin. Reservoir system for protection of Pittsburgh and reduction of flood heights in, authorized.

Estimated costs.

Approved, April 27, 1937.

## [CHAPTER 135]

## AN ACT

To authorize the Secretary of War to release a certain right-of-way no longer needed for military purposes at the Springfield Armory, Massachusetts.

April 27, 1937  
[S. 1705]  
[Public, No. 52]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to release and quitclaim the easement or interest acquired by the United States from Edward Ingersoll and wife, by deed dated May 14, 1859, for a right-of-way in connection with Springfield Armory, Springfield, Massachusetts, upon payment of a reasonable compensation to be fixed by the Secretary of War and to execute any instrument or instruments necessary to quiet title in the purchaser thereof, the said right-of-way being no longer used or necessary for military purposes.

Springfield Armory, Mass. Release of certain right-of-way at, authorized.

Approved, April 27, 1937.

## [CHAPTER 136]

## AN ACT

To authorize the furnishing of steam from the Central Heating Plant to the District of Columbia.

April 27, 1937  
[H. R. 6142]  
[Public, No. 53]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, through the National Park Service, be, and he is hereby, authorized to furnish steam from the Central Heating Plant to such buildings as may be erected by the District of Columbia on the property bounded by Fourth and Fifth Streets, and D and G Streets, Northwest, in the District of Columbia, and known as Judiciary Square: *Provided*, That the District of Columbia agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior: *And provided further*, That the District of Columbia agrees to provide all necessary connections with the Government mains at its own expense, and in a manner satisfactory to the Secretary of the Interior.

District of Columbia. Central Heating Plant to furnish steam to buildings in Judiciary Square.

Previous. Payment.

Installation expenses.

Approved, April 27, 1937.



## [CHAPTER 140]

## AN ACT

April 27, 1937

[H. R. 5232]

[Public, No. 54]

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1938, and for other purposes.

Navy Department and naval service appropriations for fiscal year 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1938, namely:

## NAVAL ESTABLISHMENT

## OFFICE OF THE SECRETARY

## MISCELLANEOUS EXPENSES

Naval Establishment.

Secretary's office.

Miscellaneous expenses.

Experts.

Courts martial, etc.

Accident prevention, shore establishments.

Living quarters, etc.

46 Stat. 818.  
5 U. S. C. § 118a.

Damage claims.  
41 Stat. 132.  
34 U. S. C. § 600.

*Provisos.*  
Restriction on use in certain naval districts.

Group IV (b) employees.

For traveling expenses of civilian employees, including not to exceed \$5,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed \$2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigation, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed \$15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed \$12,000 in the aggregate or \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); the collection and classification of information; not to exceed \$195,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic, and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U. S. C., title 34, sec. 600); and other necessary and incidental expenses; in all, \$1,241,780: *Provided*, That no part of any appropriation contained in this Act shall be available for the expense of any naval district in which there may be an active navy yard, naval training station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$515,000.

## CONTINGENT, NAVY

For all emergencies and extraordinary expenses, exclusive of personal services, in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, \$20,000, of which \$2,500 shall be available immediately.

Contingent, Navy.

## CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

Lepers, etc.

Naval station, island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Cullion, in the Philippines, and their maintenance, \$20,000; for educational purposes, \$15,000; in all, \$35,000.

Care, etc., Guam and Cullion, P. I.

## NAVAL RESEARCH LABORATORY

Research Laboratory.

For laboratory and research work and other necessary work of the Naval Research Laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, \$310,000: *Provided*, That \$50,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicians required on special problems: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$125,000, in addition to the amount authorized by the preceding proviso.

Work of, for naval service.

*Provisos.*  
Temporary employment of scientists, etc.

Group IV (b) employees.

## OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$62,000, of which amount not to exceed \$20,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act any portion thereof, not to exceed \$10,000,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1, established by Executive order of September 2, 1912, pursuant to the Act of June 25, 1910 (U. S. C., title 43, secs. 141-143), by drilling wells and performing any work incident thereto, of which amount not to exceed \$100,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided further*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners not to drill offset wells for the purpose of producing oil.

Naval petroleum reserves.  
Conservation and operation.  
41 Stat. 813.  
34 U. S. C. § 524.

Group IV (b) employees.

*Provisos.*  
Protective work on Reserve No. 1.36 Stat. 847.  
43 U. S. C. §§ 141-143.

Group IV (b) employees.

Agreement with adjoining landowners not to drill offset wells.

Prison farms and  
prison personnel.

Operation, etc.

*Proviso.*  
Limitation on ex-  
penditures.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Bureau of Naviga-  
tion.

Training, education,  
etc.

Naval War College,  
maintenance, etc.

Naval training sta-  
tions, maintenance,  
etc.

Fleet training, gun-  
nery, etc., prizes.

Instruction ex-  
penses.

Retirement annu-  
ities.  
49 Stat. 1092.  
34 U. S. C., Supp. II,  
§§ 1073-1073e.

*Proviso.*  
Restriction on spe-  
cial courses of instruc-  
tion.

Exception.

Libraries.

## NAVAL PRISON FARMS AND PRISON PERSONNEL

For the operation, maintenance, and improvement of naval prison farms and for the welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary of the Navy may prescribe, \$12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

## BUREAU OF NAVIGATION

### TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance and operation, including repairs, improvements, and care of grounds; services of a professor of international law, \$2,000; services of lecturers, \$2,000; and other civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the president of the Naval War College, to be expended in his discretion, not exceeding \$1,000; and for other necessary expenses, \$123,200;

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, \$160,359;

Newport, Rhode Island, \$148,500;

Great Lakes, Illinois, \$256,500;

Norfolk, Virginia, \$260,000;

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, \$57,000;

Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (Public Act Numbered 417, Seventy-fourth Congress), and for special instruction, education, and individual training of officers and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, \$197,310: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, Construction Corps, or Corps of Civil Engineers, except present students and except such officers who are commissioned in such corps or who have not been commissioned in the line of the Navy more than three years and four months prior to the commencement of such educational courses or postgraduate instruction;

Libraries: For libraries, professional books, textbooks, religious books, periodicals, and newspaper subscriptions for ships and shore stations not otherwise appropriated for, \$60,000;

**Welfare and recreation:** For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, and not exceeding \$4,000 for care and operation of schools at naval stations at Guantanamo Bay, Guam, and Tutuila, for the children of Naval and Marine Corps commissioned, enlisted, and civilian personnel, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$280,000;

Welfare and recreation.

**Naval Reserve Officers' Training Corps:** For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925 (43 Stat., p. 1276; U. S. C., title 34, sec. 821), \$84,400: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

Naval Reserve Officers' Training Corps, operation.

43 Stat. 1276.  
34 U. S. C. § 821.

*Proviso.*  
Uniforms, equipment, etc.

In all, training, education, and welfare, Navy, \$1,627,269: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, \$77,000; Naval Training Station, San Diego, \$3,050; Naval Training Station, Newport, \$7,700; Naval Training Station, Great Lakes, \$12,350; Naval Training Station, Norfolk, \$2,100; Instruction, \$19,411; Libraries, \$19,115; Welfare and Recreation, \$4,000.

*Proviso.*  
Group IV (b) employees.

#### STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

To reimburse the State of California, \$25,000; the State of Massachusetts, \$25,000; the State of New York, \$25,000; and the State of Pennsylvania, \$25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911 (U. S. C., title 34, sec. 1121), and for the maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State marine schools, \$90,000, and no other vessels shall be furnished by or through the Navy Department; in all, \$190,000.

State Marine Schools.

Reimbursing designated States for expenses.

36 Stat. 1353.  
34 U. S. C. § 1121.  
Maintenance, etc., of vessels loaned.

#### INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses; compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; commissions, warrants, diplomas, discharges,

Instruments and supplies.

*Proviso.*  
Group IV (b) em-  
ployees.

good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; not to exceed \$5,000 for contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify; and for the necessary civilian electricians for gyrocompass testing and inspection, \$637,670: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedules of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$36,240.

#### OCEAN AND LAKE SURVEYS, BUREAU OF NAVIGATION

Ocean and lake sur-  
veys.

*Proviso.*  
Group IV (b) em-  
ployees.

For hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions, \$80,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$34,000.

Naval Reserve.

#### NAVAL RESERVE

Organizing, recruit-  
ing, etc., of, and  
Naval Militia.

Fleet Naval Re-  
serve.  
Subsistence, etc.  
Pay, mileage, etc.

Flight training.

Armories, wharfage,  
etc.

Group IV (b) em-  
ployees.

For expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia, including the designing, purchasing, and engraving of trophies; pay and allowances of officers and enlisted men of the Naval Reserve when employed on authorized training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, subsistence and transportation with subsistence and transfers en route, or cash in lieu thereof of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay and allowances, including travel and other allowances as authorized by law (excluding clothing and small-stores issues and uniform gratuities), of aviation cadets of the Naval Reserve when ordered to active duty, including active duty undergoing training; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of not to exceed forty-eight drills per annum or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, \$9,277,109, of which amount not more than \$150,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage; not more than \$81,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;

not less than \$3,359,469 shall be available, in addition to other appropriations, for aviation material, equipment, fuel, and rental of hangars, and not more than \$397,914 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve, and of such total sum \$6,568,489 shall be available exclusively for and on account of Naval and Marine Corps Reserve aviation: *Provided*, That no appropriation contained in this Act shall be available to pay more than twenty officers of the Naval Reserve and one officer of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties and the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty (not to exceed four months in any calendar year) shall not be entitled to be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' longevity pay: *Provided further*, That no appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States; and "retired pay" as here used shall not include the pay of transferred members of such reserve forces.

Aviation material,  
hangars, etc.

Aviation, Naval and  
Marine Corps Re-  
serve.

*Proviso.*  
Reserve officers per-  
forming active duty.

Limitation.

Pay, allowances,  
etc., restrictions.

#### NAVAL ACADEMY

Naval Academy.

Pay, Naval Academy: For pay of professors and instructors, including one professor as librarian, and such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (49 Stat., pp. 1092, 1093), \$293,561, of which \$1,487 shall be available immediately: *Provided*, That this appropriation shall not be available for the employment of more than nine masters and instructors in swordsmanship and physical training.

Pay of professors,  
etc.  
Annuities.  
49 Stat. 1092.  
34 U. S. C., Supp.  
II, §§ 1073-1073e.  
*Proviso.*  
Swordsmanship in-  
struction, etc.

For pay of other employees, \$609,821, of which \$2,474 shall be available exclusively on account of the collection of ship models bequeathed by the late Henry H. Rogers: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules, in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, shall not exceed \$251,440.

Employees.  
H. H. Rogers collec-  
tion of ship models.  
*Post*, p. 102.  
*Proviso.*  
Group IV (b) em-  
ployees.

Current and miscellaneous expenses, Naval Academy: For text and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus and materials for instruction in physical training and athletics; expenses of lectures and entertainments, not exceeding \$2,000, including pay and expenses of lecturers and visiting clergymen; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and purchase of and engraving of trophies and badges, \$50,000; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), \$5,500; for expenses of the Board of Visitors to the Naval Academy, \$1,200; for contingencies for the superintendent of the Academy, to be expended in his discretion, not exceeding \$4,000; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding \$1,200; in all, \$61,900, to be accounted for as one fund.

Current, etc., expen-  
ses.

Lectures, etc.

Library.

Board of Visitors.

Maintenance and repairs.

Horses, vehicles, etc.

*Proviso.*  
Group IV (b) employees.

H. H. Rogers bequest, acceptance expenses.  
49 Stat. 1628.  
*Ante*, p. 101.

Naval Home, Philadelphia, Pa.

Personal services.  
*Proviso.*  
Group IV (b) employees.

Maintenance.

Employment of beneficiaries.

Bureau of Engineering.

Engineering, repairs, machinery, etc.  
Equipment, supplies, etc.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls enclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor, advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; pay of inspectors and draftsmen; and music and astronomical instruments, \$1,058,000, of which \$2,000 shall be available exclusively on account of the collection of ship models bequeathed by the late Henry H. Rogers: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$26,100: *Provided further*, That the appropriation of \$5,000 contained in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1628), for expenses in connection with the acceptance of the collection of ship models bequeathed by the late Henry H. Rogers, shall remain available for such purpose until June 30, 1938.

#### NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For pay of employees, \$90,120: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$13,800;

Maintenance: For water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainment for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle to be used only for official purposes, \$99,880;

In all, Naval Home, \$190,000.

#### BUREAU OF ENGINEERING

##### ENGINEERING

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and

renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the Bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the Bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and grounds at the engineering experiment station, Annapolis, Maryland; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any persons so employed; in all, \$22,080,800: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,758,500.

Annapolis, Md.,  
engineering experiment station.

*Proviso.*  
Group IV (b) employees.

## BUREAU OF CONSTRUCTION AND REPAIR

For designing naval vessels, including services, instruments, apparatus, and materials necessary for experimental and research work; payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; maintenance, repairs, and alterations of vessels; care and preservation of vessels out of commission; docking of vessels; salvage and salvage services for naval floating property; construction and repair of district and yard craft; purchase and manufacture of equipage, appliances, supplies, and materials at home and abroad as required for the maintenance, repair, alteration, and operation of naval vessels and district and yard craft; carrying on work of the experimental model basin and wind tunnel; tools and appliances for all purposes in navy yards and naval stations; labor in navy yards and naval stations and elsewhere at home and abroad; accident prevention; pay of classified field force, including employees in material inspection and superintending constructors' offices; incidental expenses at navy yards and naval stations and in material inspection and superintending constructors' offices such as photographing, technical and professional books and magazines, plans, stationery, drafting instruments and other materials, \$19,458,500: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,890,000.

Bureau of Construction  
and Repair.

Construction  
and repair of vessels.

Field force.

*Proviso.*  
Group IV (b) employees.



Bureau of Ordnance.

## BUREAU OF ORDNANCE

### ORDNANCE AND ORDNANCE STORES, BUREAU OF ORDNANCE

Procuring, etc., ordnance and ordnance stores.

For procuring, producing, preserving, and handling ordnance material for the armament of ships; for the purchase and manufacture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed \$15,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding \$20 per diem for any person so employed; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools at ordnance stations at Indianhead, Maryland; Dahlgren, Virginia; and South Charleston, West Virginia, \$24,429,800: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,380,000.

Schools at designated stations.

*Proviso.*  
Group IV (b) employees.

Bureau of Supplies and Accounts.

## BUREAU OF SUPPLIES AND ACCOUNTS

### PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel.  
Officers.  
Aerial flights, increased pay restriction.

Rent and subsistence.  
Retired officers.  
Hire of quarters.

Enlisted men.

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, pay—\$34,762,731, including not to exceed \$1,698,100 for increased pay for making aerial flights, no part of which shall be available for increased pay for making aerial flights by any officer above the rank of captain, except not more than three officers of the rank of rear admiral, nor by nonflying officers or observers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers or observers; rental allowance, \$7,275,000; subsistence allowance, \$4,358,427; in all, \$46,396,158; officers on the retired list, \$9,000,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$9,000; pay of enlisted men on the retired list, \$7,600,000; interest on deposits by men, \$3,000; pay of petty officers (not to exceed an average of eight thousand two hundred

and forty chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of seven thousand one hundred and ninety-eight), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Bureau of Fisheries, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men for diving, and cash prizes (not to exceed \$106,000) for men for excellence in gunnery, target practice, communication, and engineering competitions, \$78,484,680, and, in addition, \$10,000,000 appropriated in the Second Deficiency Appropriation Act, fiscal year 1935, for a "floating dry dock, type B, including mooring facilities and accessories", such sum being hereby reappropriated for the objects embraced by this clause and paragraph; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed \$15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water- or air-borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, \$1,775,210; pay of enlisted men undergoing sentence of court martial, \$25,000, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay, \$558,880; rental allowance, \$24,000; subsistence allowance, \$23,871; pay retired list, \$243,249; in all, \$850,000; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, \$15,290,000; reimbursement for losses of property as provided in the Act approved October 6, 1917 (U. S. C., title 34, secs. 981, 982), as amended by the Act of March 3, 1927 (U. S. C., title 34, sec. 983), \$10,000; payment of six months' death gratuity, \$150,000; in all, \$159,593,048; and no part of such sum shall be available to pay active-duty pay and allowances to officers in excess of nine on the retired list, except retired officers temporarily ordered to active duty as members of retiring and selection boards as authorized by law: *Provided*, That, except for the public quarters occupied by the Chief of Office of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps and messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels including officers' messes at the fleet air bases, and to landing forces and expeditions, and in addition not to exceed forty in number at such places as shall be designated by the Secretary of the Navy, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 70 cents per ration to the naval

Prizes, etc.

Outfits, clothing, etc.

Reimbursement for certain losses.

Nurse Corps.

Fleet Naval Reserve.

Property losses.  
40 Stat. 389; 44 Stat. 1368.  
34 U. S. C. §§ 981-983.

Active duty pay, etc., to retired officers; restriction.

*Proviso.*  
Enlisted men ashore as household servants.

Voluntary, etc., services.

Sale of meals to officers on shore duty.

Subsistence.  
Provisions, commutation of rations, etc.

Unavoidable ab-  
sences. hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, \$20,219,851;

Detached duty.  
Naval Reserve, etc.

Transportation. Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including the cost of a compartment or such other accommodations, as may be authorized by the Secretary of the Navy, for security when secret documents are transported by officer messenger, and including not to exceed \$2,900 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than \$2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders, after appointment as midshipmen: *Provided*, That for the fiscal year ending June 30, 1937, such limitation of \$2,500, likewise applying to such fiscal year, is hereby increased to \$8,000, effective as of July 1, 1936; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, \$1,038,400; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachment; in all, \$5,271,680;

Attendance at meetings.

Midshipmen, etc.

*Proviso.*  
Limitation increased.

Enlisted men.

Apprehending deserters, etc.

Recruiting.

Transporting dependents.  
Funeral escorts.

Aggregate; amount immediately available.

Accounting.

*Provisos.*  
Additional medical detail, Veterans' Administration patients in naval hospitals.

In all, for pay, subsistence, and transportation of naval personnel, \$185,084,579, of which sum \$1,000,000 shall be immediately available, and the money herein specifically appropriated for "Pay, subsistence, and transportation of naval personnel" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed

in addition to the numbers appropriated for in this Act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1937, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the Governor, and of four midshipmen from Puerto Rico, appointed on nomination of the Resident Commissioner; and of four midshipmen from the District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large, from the enlisted personnel of the naval service, from the Naval Reserve, from honor graduates of military schools or Naval Reserve Officers' Training Corps: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipman appointed from enlisted men of the Navy for admission to the Naval Academy in the class entering in the calendar year 1938 who has not served aboard a vessel of the Navy in full commission for at least nine months prior to such admission.

Restriction on admissions to Naval Academy after January 30, 1937.

Appointments at large from enlisted men not affected.

Sea service requirements of appointees from enlisted men.

#### MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls; including streetcar fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary; for transportation on Government-owned vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Navy and Marine Corps personnel upon change of station, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, \$9,313,180: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$4,700,000: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Maintenance.

Freight, etc., charges.

Provisions. Supply or replacement of kitchen, etc., ware for officers' quarters ashore forbidden.

Group IV (b) employees.

Use of certain receipts for current expenses; accounting.

#### CLOTHING, NAVAL RESERVE

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to aviation cadets and enlisted men of the Naval Reserve and the uniform gratuity paid to officers and aviation cadets of the Naval Reserve.

Clothing and small stores fund.

Strategic and critical materials.  
Procurement and transportation.  
*Provisos.*  
Use restricted.

STRATEGIC AND CRITICAL MATERIALS

Determination of.

For the procurement and transportation of strategic and critical materials, \$3,500,000, to remain available until expended: *Provided*, That materials acquired hereunder shall not be issued for current use in time of peace without the approval of the Secretary of the Navy, except that materials acquired under this title may be issued for current use when replaced by materials purchased from current appropriations: *Provided further*, That for the purposes of this paragraph, the Secretary of the Navy shall determine what materials are strategic and critical.

FUEL AND TRANSPORTATION, BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation.

*Provisos.*  
Issue to be charged to applicable appropriation.

Price for fuel on hand.

Restriction on use, etc., of foreign fuel oil.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, \$8,847,076: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive: *Provided further*, That no part of this appropriation shall be available, any provision in this Act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable.

Bureau of Medicine and Surgery.

BUREAU OF MEDICINE AND SURGERY

MEDICAL DEPARTMENT

Surgeons' necessities.  
Civil establishment.

Vehicles, etc.

For surgeons' necessities for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Navy Medical Center, Naval Medical School and Naval Dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of non-passenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for Naval Dispensary, Washington, District of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical Center, Naval Medical School and Naval Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical Center, Naval Medical School and Naval Dispensary, Washington, naval medical supply

depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the Naval Medical School and naval medical supply depots; rent of rooms for Naval Dispensary, Washington, District of Columbia, not to exceed \$1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to Saint Elizabeths Hospital; for dental outfits and dental material; and all other necessary contingent expenses; in all, \$2,292,293: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$155,000.

Care, etc., of insane on Pacific coast.

*Proviso.*  
Group IV (b) employees.

#### CARE OF THE DEAD

Care of the dead.

For the care of the dead; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Department and Naval Establishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in naval hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval hospitals; for purchase and care of cemetery lots; for care of graves outside of the continental limits of the United States, including those in sites not owned by the United States; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, \$70,000: *Provided*, That the above provision shall apply in the case of officers and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Interment or transportation expenses.

Civilian employees dying abroad.

*Proviso.*  
Retired officers, etc., on active duty included.

#### BUREAU OF YARDS AND DOCKS

Bureau of Yards and Docks.

##### MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, and supplies necessary, as determined by the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention; the purchase, maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Naval Establishment not otherwise provided for; not to exceed \$1,525,000 for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part-time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed, \$7,875,958: *Provided*, That during the fiscal year 1938 the motor-propelled passenger-carrying vehicles to be purchased hereunder shall not exceed the following respective numbers and costs: Ten at \$1,600 each, thirty-six at \$550 each, and three motorbusses at \$4,200 each, and motortruck chasses with station wagon

General maintenance, etc.

Vehicles.

Group IV (b) employees.

*Proviso.*  
Limitation on vehicle purchases.

Maintenance, operation, repair, etc.

type bodies as required: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the compensation of any greater number than ninety enlisted men detailed to such duty, shall not exceed in the aggregate \$90,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States, motorbusses, station wagon motortrucks, and motorcycles, and on any one vehicle, except busses and ambulances, shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one-third of the market price of a new vehicle of the same make or class, and in any case not more than \$400.

CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$140,000.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

For public works and public utilities, Bureau of Yards and Docks, \$6,552,000, which, together with the unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That not to exceed 2½ per centum of the aggregate amount available on July 1, 1937, shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided further*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for under this head, and, in addition, the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Charleston, S. C.

Navy Yard, Charleston, South Carolina: Repairing and improving power plant, high-pressure boilers, and electrical distribution system to water front and drydock, \$75,000; repairing and modernizing electric lighting and power in shops, \$26,000; repairing and extending fire-alarm system, \$16,000;

Washington, D. C.

Navy Yard, Washington, District of Columbia: Improvement of power plant, \$265,000;

Mare Island, Calif.

Navy Yard, Mare Island, California: Construction of graving drydock, to continue, \$3,350,000;

Pearl Harbor, Hawaii.

Navy Yard, Pearl Harbor, Hawaii: Improvement of harbor and channel, \$1,000,000; mooring facilities and accessories, \$275,000; improvement of water supply, Aiea, \$140,000;

Norfolk, Va.

Navy Yard, Norfolk, Virginia: Improvement of power plant, \$45,000;

Saint Thomas, Virgin Islands.

Naval Station, Saint Thomas, Virgin Islands: Aviation facilities, \$125,000;

San Diego, Calif.

Naval Station, San Diego, California: Mooring quay wall and dredging, \$105,000;

Alameda, Calif., air station; site and buildings.

Naval Air Station, Alameda, California: For acquisition of site, free from all encumbrances, at a cost not to exceed \$1, and, thereafter, toward the development of such site, as authorized by the Act approved June 24, 1936 (49 Stat., pp. 1901, 1902), including buildings and accessories, bulkheads, and dredging, \$1,000,000;

49 Stat. 1901.

Model Testing Plant: Toward the model testing plant, authorized by the Act approved May 6, 1936 (49 Stat., pp. 1263, 1264), including buildings and facilities and purchase of land, \$3,000,000: *Provided*, That no part of such sum shall be available for the provision, by contract or otherwise, of any buildings or facilities for testing other than surface and subsurface craft;

Naval Air Station, San Diego, California: Barracks for enlisted men, \$300,000; galley and mess hall for enlisted men, \$300,000; services, accessories, and equipment for barracks and mess hall, \$125,000;

Naval War College, Newport, Rhode Island: Addition to library building and accessories, \$155,000.

Model testing plant.  
49 Stat. 1263.

*Proviso.*  
Use restricted.

San Diego, Calif.,  
air station.

Naval War College,  
Newport, R. I.

## BUREAU OF AERONAUTICS

### AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1937, \$750,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, \$18,064,000, including \$250,000 for the equipment of vessels with catapults and including not to exceed \$50,000 for the procurement of helium, which sum of \$50,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1937, in addition to which sum the Bureau of Mines may use for helium-plant operation in the fiscal year 1938 the unexpended balance of funds transferred to it for such operation in the fiscal year 1937, and the Bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed, \$3,500,000; for new construction and procurement of aircraft and equipment, spare parts and accessories, \$27,186,000, of which amount not to exceed \$13,000,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1937; in all, \$49,500,000, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,582,340: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1938, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of \$15,000,000: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate \$50,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps" to cover authorized traveling expenses of offi-

Bureau of Aeronau-  
tics.

Designated aviation  
expenses.

Helium.  
*Post*, p. 602.

Developing aircraft  
types, etc.

New construction,  
etc.  
Incurred obliga-  
tions.

Aggregate; account-  
ing.

*Provisos.*  
Group IV (b) em-  
ployees.

Contracts for new  
airplanes, etc.

Transfer of sums for  
traveling expenses.



Number of coast stations limited.

Airplane factory construction forbidden.

Adjustment of damage claims.

cers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps": *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$500.

Marine Corps.

## MARINE CORPS

### PAY, MARINE CORPS

Pay, etc., officers on active list.

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, \$4,166,211, including not to exceed \$245,017 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; subsistence allowance, \$532,608; rental allowance, \$653,181; in all, \$5,352,000; and no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list;

Retired officers. Enlisted men, active list.

For pay of officers prescribed by law on the retired list, \$1,425,000;

Pay of enlisted men, active list: For pay and allowances of non-commissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, including not to exceed \$250 for the expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted men, post-exchange debts of deserters, and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practice, and communication competitions, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore, and for gratuities to enlisted men discharged not under honorable conditions—pay and allowances, \$8,204,512; allowance for lodging and subsistence, \$640,488; in all, \$8,845,000;

Pay and allowances.

Retired enlisted men.

For pay and allowances prescribed by law of enlisted men on the retired list, \$841,000;

Undrawn clothing.

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, \$320,000;

Marine Corps Reserve.

For pay and allowances of the Marine Corps Reserve (a) excluding transferred and assigned men, \$923,720; (b) transferred men, \$443,280; in all, \$1,367,000.

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$150,000;

In all, \$18,300,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

#### PAY OF CIVIL EMPLOYEES, MARINE CORPS

Pay of civil force: For personal services in the District of Columbia, as follows:

Offices of the Major General Commandant and adjutant inspector, \$114,180;

Office of paymaster, \$47,260;

Office of the quartermaster, \$125,020; in all, \$286,460: *Provided*, That the total number of enlisted men on duty at Marine Corps headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1938, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps" and "General expenses, Marine Corps" shall be available.

#### GENERAL EXPENSES, MARINE CORPS

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For provisions, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, \$2,697,153;

For clothing for enlisted men, \$900,000;

For fuel, heat, light, and power, including sales to officers, \$470,000;

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, \$610,000;

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, \$300,000;

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed \$10,000 during the year, \$400,000;

For forage and stabling of public animals and the authorized number of officers' horses, \$20,000;

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange

Mileage, etc.

Aggregate; accounting.

Civil force at headquarters.

*Proviso.*  
Number of enlisted men at headquarters. Vacancies to be filled by civilians.

Pay rates.  
5 U. S. C. §§ 661-674.

General expenses.

Authorized work.

Provisions, etc.

Clothing.

Fuel, etc.

Military supplies, etc.  
Purchase, preservation, etc.  
Prizes, badges, etc.

Transportation, etc.

Dependents.

Repairs, etc., to barracks, quarters, etc.

Forage, etc.

Miscellaneous supplies, etc.

Vehicles, etc. of typewriters and calculating machines; purchase and repair of furniture and fixtures; repair of motor-propelled passenger-carrying vehicles; and purchase, exchange, and repair of horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, \$2,330,600: *Provided*, That there may be expended out of this appropriation (including the exchange value of any vehicle that may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts as follows: Two at \$1,600 each; two at \$900 each; eight at \$700 each; ten station wagons at \$700 each; and five motorcycles at \$300 each;

Horses, etc.

Funeral expenses.

*Proviso.*  
Purchase of vehicles.

Marine Corps Reserve.

Accounting.  
*Proviso.*  
Group IV (b) employees.

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, \$266,000;

In all, \$7,993,753, to be accounted for as one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$80,000.

## REPLACEMENT OF NAVAL VESSELS

Replacement of naval vessels.

Construction and machinery.  
*Post*, p. 767.  
Destroyers and submarines.  
48 Stat. 503.

*Provisos.*  
Group IV (b) employees.

Test boilers for navy yards.

Technical services.

Armor, armament, and ammunition for vessels.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), and for the commencement of the following vessels authorized by the Act approved March 27, 1934 (48 Stat. 503-505), eight destroyers and four submarines, \$90,000,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1938 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$4,570,000: *Provided further*, That not to exceed \$390,000 of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1938 shall be available for the purchase and installation of test boilers for navy yards engaged in new construction: *Provided further*, That, of the appropriations made available by this Act under the head of "Replacement of naval vessels", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been, or may hereafter be authorized.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of

"Construction and machinery", \$40,000,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1938 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,300,000.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time seven enlisted men of the Navy: *Provided further*, That enlisted men detailed to the Navy Dispensary and the Radio Communication Service shall not be regarded as detailed to the Navy Department in the District of Columbia.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the provisos contained in the Acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

No part of the funds herein appropriated<sup>1</sup> shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

*Proviso.*  
Group IV (b) employees.

Purchase of letters patent, etc.

Department use limited.

*Provisos.*  
Details to Bureau of Navigation.  
Designated services not regarded as details.

No pay to officer, etc., using time-measuring device on work of employee.

Cash rewards prohibited.

Repairs, etc., other than at navy yards, etc., restricted.

*Proviso.*  
Construction, first and alternate vessels at Government yards, factories, etc., required.  
45 Stat. 1165; 48 Stat. 803.  
34 U. S. C. § 495.

Contractors to furnish estimates.

<sup>1</sup> So in original.

Navy Department.

## NAVY DEPARTMENT

## SALARIES

## Salaries.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and civilian personnel in offices, etc., designated.

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, \$189,130.

General Board, \$12,560.

Naval examining and retiring boards, \$10,580.

Compensation board, \$6,840.

Office of Naval Records and Library, \$34,080.

Office of Judge Advocate General, \$120,920.

Office of Chief of Naval Operations, \$69,260.

Board of Inspection and Survey, \$19,840.

Office of Director of Naval Communications, \$130,000.

Office of Naval Intelligence, \$72,250.

Bureau of Navigation, \$480,040.

Hydrographic Office, \$408,000.

American Ephemeris, etc.

Naval Observatory, including \$2,500 for pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, \$171,560.

Bureau of Engineering, \$307,400.

Bureau of Construction and Repair, \$347,479.

Bureau of Ordnance, \$149,000.

Bureau of Supplies and Accounts, \$801,440.

Bureau of Medicine and Surgery, \$83,720.

Bureau of Yards and Docks, \$276,800.

Bureau of Aeronautics, \$358,800.

In all, salaries, Navy Department, \$4,049,699.

Salaries limited to average rates under Classification Act.  
5 U. S. C. §§ 661-674.  
Exception.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

*proviso.*  
Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
Transfers without reduction.

Payment under higher rate.

If only one position in a grade.

## CONTINGENT EXPENSES

For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor-delivery wagons, maintenance, repair, and operation of motor trucks or motor-delivery wagons; garage rent; street-car fares; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, \$105,000; it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Department contingent expenses.

Naval records of the World War.

Naval service appropriations not to be used for Department expenses.

## PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, \$490,000, including not exceeding \$102,000 for the Hydrographic Office and \$2,800 for the Naval Reserve Officers' Training Corps.

Printing and binding.

## PRINTING HISTORICAL AND NAVAL DOCUMENTS

For continuing the printing of historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, in accordance with the provisions of the appropriation made for the commencement of this work as contained in the Naval Appropriation Act for the fiscal year 1935, \$20,000, together with the unexpended balance for this purpose for the fiscal year 1937: *Provided*, That nothing in such Act shall preclude the Public Printer from furnishing one hundred and fifty copies of each volume published to the Library of Congress.

Historical and naval documents.

48 Stat. 414.  
Balance reappropriated.  
49 Stat. 1419.

*Proviso.*  
Copies to Library of Congress.

## CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For purchase and printing of nautical books, charts, and sailing directions, copper plates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copper plates, cleaning copper plates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; purchase of temperature and humidity control equipment for lithographic press-room; modernization, care, and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals

Hydrographic Office.

Contingent and miscellaneous expenses.

Charts, etc.

relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, \$78,000.

Branches.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Galveston, including furniture, fuel, lights, works, and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, carfare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, \$11,380.

For services of necessary employees at branch offices, \$47,220.

Naval Observatory.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Library.

Apparatus, etc.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams; maintenance, repair, and operation of motor trucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone service; and other absolutely necessary expenses, \$27,000.

Government-owned automobiles.  
Use restricted to official business.

Transportation between domicile and place of employment.

Exceptions.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Approved, April 27, 1937.

## [CHAPTER 141]

## AN ACT

Relative to the classification of bills or statements of account produced by photostatic or mechanical process.

April 27, 1937  
[H. R. 1521]  
[Public, No. 55]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 206 (a) of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (43 Stat. 1053; U. S. C., 1934 edition, title 39, sec. 235), is hereby amended by inserting before the period at the end of such section a comma and the following: "but bills or statements of account produced by any photographic or mechanical process shall not be accepted as mail matter of the third class unless presented in quantities of twenty or more identical copies. When such bills or statements are not identical or are presented in quantities of less than twenty identical copies, they shall be subject to postage at the first-class rate".

Approved, April 27, 1937.

Postal Service, mail matter.  
Postage rate, bills or statements produced by mechanical process.  
43 Stat. 1067.  
39 U. S. C. § 235.

## [CHAPTER 142]

## AN ACT

To amend an Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Florida", approved June 15, 1933.

April 27, 1937  
[H. R. 2905]  
[Public, No. 56]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Florida", approved June 15, 1933, be, and the same is hereby, amended by adding at the end thereof the following proviso, to wit: "Provided further, That nothing in this Act shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the sessions of said court in any new Federal building which may be constructed in Orlando, Florida."

Approved, April 27, 1937.

Florida Southern Judicial District.  
Orlando, courtrooms, etc.  
48 Stat. 147.  
28 U. S. C. § 149.

## [CHAPTER 143]

## AN ACT

To simplify accounting.

April 27, 1937  
[H. R. 5757]  
[Public, No. 57]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, in making payments for commodities or services the quantity of which is determined by metered readings, such as gas, electricity, water, steam, and the like, where the period covered by the charge begins in one fiscal year or allotment period and ends in another, the entire amount of the payment may be regarded as a charge against the appropriation or allotment current at the end of such period.

Approved, April 27, 1937.

Simplification of accounting.  
Payments for metered services.



[CHAPTER 144]

AN ACT

To provide for the prevention of blindness in infants born in the District of Columbia.

April 27, 1937  
[H. R. 5896]  
[Public, No. 58]

District of Colum-  
bia.  
Prevention of blind-  
ness in infants born in.  
Health officer to  
furnish prophylactic.

Administration at  
birth.

Eye inflammation  
attended by discharge;  
transmission of infor-  
mation to health of-  
ficer.

Duties of health of-  
ficer.

Hospital care where  
parents unable to pay.

Treatment by other  
than registered physi-  
cian.

Penalty provision.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the health officer of the District of Columbia shall cause to be provided in suitable containers a 1 per centum solution of silver nitrate or other preparation which in his opinion is suitable for use as a prophylactic against inflammation of the eyes of the new-born child, the contents of each container being the exact quantity necessary for the treatment of one eye and two such containers shall be furnished for use in each case of childbirth. It shall be the duty of each physician, midwife, or other person in attendance upon any case of childbirth to administer immediately upon delivery such solution as a prophylactic against inflammation of the eyes of said new-born child. It shall be the duty of each midwife or other person, except licensed physicians, to secure containers of such solution from the health officer for use in each case of childbirth.

SEC. 2. Whenever any physician, midwife, or other person in attendance upon any case of childbirth finds that the new-born child has inflammation of the eyes, attended by a discharge therefrom, such physician, midwife, or other person shall communicate such fact in writing to the health officer within six hours after the existence of such discharge becomes known to such physician, midwife, or other person. Upon receipt of such communication the health officer, unless he finds such report to be incorrect, shall issue an order directing the parents of such child (or other person charged with its care) either to (1) place such child in the care of a registered physician or (2) submit immediately satisfactory proof of inability to pay for such medical service. If the health officer finds that the parents or such other person are unable to pay for such medical treatment, he shall order the parents (or such other person) to place the child in a hospital to be designated by the Board of Public Welfare and at the expense of said Board.

SEC. 3. No person other than a registered physician shall treat any case of inflammation of the eyes, attended by a discharge therefrom, of a new-born child for any period longer than may be necessary to obtain the services of a registered physician.

SEC. 4. Any person convicted of violating any provision of this Act, or any order or regulation issued pursuant to the provisions of this Act, shall be fined not more than \$100 or imprisoned not more than thirty days, or both.

Approved, April 27, 1937.

[CHAPTER 145]

JOINT RESOLUTION

Making an appropriation for the control of outbreaks of insect pests.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That for carrying out the purposes of and for expenditures authorized under the public resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs", approved April 6, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to remain available until June 30, 1938: *Provided*, That, in the discretion of the Secretary of Agriculture, no part of

April 27, 1937  
[H. J. Res. 319]  
[Pub. Res., No. 26]

Insect pest and  
plant disease control.  
Appropriation for  
expenses.  
*Ante*, p. 57.  
*Post*, p. 514.

Availability.  
*Proviso*.  
State cooperation.

this appropriation shall be expended for control of grasshoppers, Mormon crickets, or chinch bugs in any State until such State has provided the organization or materials and supplies necessary for cooperation: *Provided further*, That this appropriation shall be expended under the personal supervision and direction of the Secretary of Agriculture, who shall make a detailed report to the Secretary of the Senate and the Clerk of the House of Representatives of the several items of expenditures made hereunder: *Provided further*, That transportation of control materials purchased under this appropriation shall be under conditions and means determined by the Secretary of Agriculture as most advantageous to the Federal Government: *Provided further*, That procurements under this appropriation may be made by open market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Approved, April 27, 1937.

Supervision of expenditures.

Transportation of control materials.

Open market purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

## [CHAPTER 146]

### JOINT RESOLUTION

To amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended.

May 1, 1937  
[S. J. Res. 51]  
[Pub. Res., No. 27]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended, is amended to read as follows:

Neutrality Act of 1935, amendments.  
49 Stat. 1081.  
22 U. S. C., Supp. II, §§ 245a-245i.

#### "EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

"SECTION 1. (a) Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

Arms, ammunition, and implements of war.  
Export embargo upon, during a state of war.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

Extension to other states.

"(c) Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter

Civil strife within a foreign state.

Export to a neutral state for transshipment, etc.

Enumeration of prohibited exports.

Categories included.  
• 49 Stat. 3503.

Raw materials, etc., excluded.

Punishment for violation.

Seizure and forfeiture.  
40 Stat. 223-225.  
22 U. S. C. §§ 238-245.

Disposition of forfeited arms, etc.

Revocation of proclamation.

Export of other articles and materials.

Restriction on, after state of war proclaimed.

American vessel prohibited from carrying, to belligerent state or state where civil strife exists; exceptions.

Enumeration of articles and materials.

Additional exportation and transportation restrictions; exceptions.

be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

"(d) The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation Numbered 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(e) Whoever, in violation of any of the provisions of this Act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than \$10,000, or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223-225; U. S. C., 1934 ed., title 22, secs. 238-245).

"(f) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(g) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed, or forfeitures incurred, prior to such revocation.

#### "EXPORT OF OTHER ARTICLES AND MATERIALS

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this Act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

"(b) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act and he shall thereafter find that the placing of restrictions on the export of articles or materials from the United States to belligerent states, or to a state

wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives or commerce of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over land bordering on the United States, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this Act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists, any articles or materials whatever until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on any articles or materials the export of which is prohibited by this Act, or on articles or materials carried by an American vessel in violation of subsection (a) of this section, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials and no loss incurred thereunder or by the owner of the vessel carrying the same shall be made a basis of any claim put forward by the Government of the United States.

“(c) The President shall from time to time by proclamation extend such restrictions as are imposed under the authority of this section to other states as and when they may be declared to become belligerent states under proclamations issued under the authority of section 1 of this Act.

“(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under the authority of this section.

“(e) Except with respect to offenses committed, or forfeitures incurred, prior to May 1, 1939, this section and all proclamations issued thereunder shall not be effective after May 1, 1939.

#### “FINANCIAL TRANSACTIONS

“SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state or of any state wherein civil strife exists, named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or of any faction or asserted government within any such state wherein civil strife exists, or of any person acting for or on behalf of any faction or asserted government within any such state wherein civil strife exists, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, faction, asserted government, or person, or to solicit or receive any contribution for

Transfer of title to foreign government, etc.  
Sworn declaration by shipper.

Declaration an estoppel against American claims, etc.  
Insurance provisions.

Extension of restrictions to other states.

Modification, etc., of proclamations.

Duration of section, etc.

Financial transactions.

Dealing in obligations of belligerent, etc., state, unlawful.

Civil strife, etc.

*Proviso.*  
Discretionary excep-  
tions.

Unofficial solicita-  
tions to relieve human  
suffering.

Approval required.

Existing indebted-  
ness, etc.

Penalty provision.

Provisions inappli-  
cable on revocation of  
proclamation; excep-  
tion.

Exceptions.

American republics.

National Munitions  
Control Board.

Establishment,  
composition, etc.

Administration of  
Act.

Rules and regula-  
tions.

Board meetings.

Registration of per-  
sons engaged in man-  
ufacture or traffic in  
arms, etc.

any such government, political subdivision, faction, asserted government, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, political subdivision, faction, or asserted government, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than five years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

"(d) Whenever the President shall have revoked any such proclamation issued under the authority of section 1 of this Act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

#### "EXCEPTIONS—AMERICAN REPUBLICS

"SEC. 4. This Act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

#### "NATIONAL MUNITIONS CONTROL BOARD

"SEC. 5. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the 'Board') to carry out the provisions of this Act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this Act, or by other law, the administration of this Act is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this Act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and

places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

“(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of \$500, unless he manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the twelve months immediately preceding his registration, in which case he shall pay a registration fee of \$100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for five years, which shall be renewable for further periods of five years upon the payment for each renewal of a fee of \$500 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of more than \$50,000 during the twelve months immediately preceding the renewal, or a fee of \$100 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the twelve months immediately preceding the renewal. The Secretary of the Treasury is hereby directed to refund, out of any moneys in the Treasury not otherwise appropriated, the sum of \$400 to every person who shall have paid a registration fee of \$500 pursuant to this Act, who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the twelve months immediately preceding his registration.

“(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this Act, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this Act, without first having obtained a license therefor.

“(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

“(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this Act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

“(g) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, all licenses theretofore issued under this Act shall ipso facto and immediately upon the issuance of such proclamation, cease to grant authority to export arms, ammunition, or implements of war from any place in the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists; and said licenses, insofar as the grant of authority to export to the state or states named in such proclamation is concerned, shall be null and void.

Requirements.

Registration fee.

Issue of certificate.

Renewals.

Refunds of certain excess fees.

Exporting or importing arms, etc., without license, unlawful.

Maintenance of records.

Issuance of licenses.

Authority to export arms, etc., to cease upon issuance of proclamation.

Restriction on purchases from person failing to register.

"(h) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this Act.

Sale of ordnance, etc., to Cuba; certain provisions repealed. 39 Stat. 643; 50 U. S. C. § 72.

"(i) The provisions of the Act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

Annual report of Board.

"(j) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this Act, and full information concerning the licenses issued hereunder.

Contents.

Proclamation of articles considered arms, etc.

"(k) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

"AMERICAN VESSELS PROHIBITED FROM CARRYING ARMS TO BELLIGERENT STATES

American vessels prohibited from carrying arms, etc., to belligerent states.

"SEC. 6. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

Penalty provision.

"(b) Whoever, in violation of the provisions of this section, shall take, or attempt to take, or shall authorize, hire, or solicit another to take, any American vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than \$10,000, or imprisoned not more than five years, or both; and, in addition, such vessel, and her tackle, apparel, furniture, and equipment, and the arms, ammunition, and implements of war on board, shall be forfeited to the United States.

"USE OF AMERICAN PORTS AS BASE OF SUPPLY

Use of American ports as base of supply.

"SEC. 7. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the Act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before

40 Stat. 221.  
18 U. S. C. § 31.

departing from a port of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any part of the cargo, to any warship, tender, or supply ship of a belligerent state.

“(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

#### “SUBMARINES AND ARMED MERCHANT VESSELS

“SEC. 8. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

#### “TRAVEL ON VESSELS OF BELLIGERENT STATES

“SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this Act it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe: *Provided, however,* That the provisions of this section shall not apply to a citizen of the United States traveling on a vessel whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further,* That they shall not apply under ninety days after the date of the President's proclamation to a citizen of the United States returning from a foreign state to the United States. Whenever, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

#### “ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

“SEC. 10. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any belligerent state, or any state wherein civil strife exists, named in such proclamation, to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition therefor which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

Bond requirement.

Vessel delivering cargo to warship, etc., of a belligerent state.

Submarines and armed merchant vessels.

Restriction on entry and departure of, of a foreign state.

Proclamation.

Revocation of proclamation.

Travel on vessels of belligerent states; restriction.

*Proviso.*  
Citizens in transit.

Citizens returning to United States.

Revocation of proclamation.

Arming of American merchant vessels prohibited.



## "REGULATIONS

Regulations.

"SEC. 11. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such officer or officers, or agency or agencies, as he shall direct.

## "GENERAL PENALTY PROVISION

General penalty provision.

"SEC. 12. In every case of the violation of any of the provisions of this Act or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

Definitions.

## "DEFINITIONS

"United States."

"SEC. 13. For the purposes of this Act—

"(a) The term 'United States', when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"Person."

"(b) The term 'person' includes a partnership, company, association, or corporation, as well as a natural person.

"Vessel."

"(c) The term 'vessel' means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

"American vessel."

"(d) The term 'American vessel' means any vessel (including aircraft) documented under the laws of the United States.

"Vehicle."

"(e) The term 'vehicle' means every description of carriage (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on or over land.

"State."

"(f) The term 'state' shall include nation, government, and country.

## "SEPARABILITY OF PROVISIONS

Separability of provisions.

"SEC. 14. If any of the provisions of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

## "APPROPRIATIONS

Appropriations.  
*Post*, pp. 266, 770.

"SEC. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act."

Approved, May 1, 1937, 6.30 p. m., Central Standard Time.

## [CHAPTER 147]

## AN ACT

To authorize an appropriation for reconstruction at Fort Niagara, New York, to replace loss by fire.

May 6, 1937  
[H. R. 1978]  
[Public, No. 59]

Fort Niagara, N. Y.  
Appropriation authorized for reconstruction expenses.  
*Post*, p. 452.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$54,000, or so much thereof as may be necessary for the purpose of reconstructing at Fort Niagara, New York, the building known as officers' quarters, mess hall, and assembly rooms, which was destroyed by fire in January 1936.

Approved, May 6, 1937.

## [CHAPTER 148]

## AN ACT

Authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject.

May 6, 1937  
[H. R. 2909]  
[Public, No. 60]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject, as full indemnity for the personal injuries received by him as the result of a collision between a broker's trap in which he was riding and a United States Marine Corps truck at Shanghai, China, on September 13, 1928, and for medical and hospital expenses incurred by him in connection with his injuries, the sum of \$15.59.

Great Britain.  
Payment to, as indemnity for personal injuries to N. J. Moosa, authorized.  
*Post*, p. 768.

Approved, May 6, 1937.

## [CHAPTER 149]

## AN ACT

Authorizing an appropriation for payment to the Government of the Netherlands for the account of the family of Miguel Paula.

May 6, 1937  
[H. R. 2910]  
[Public, No. 61]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of the Netherlands for the account of the family of Miguel Paula, a citizen of the Netherlands, for the death of Paula due to cocaine poisoning while a patient at the United States Marine Hospital at New Orleans, Louisiana, on January 23, 1931, the sum of \$3,500.

The Netherlands.  
Payment to, for death of Miguel Paula, authorized.  
*Post*, p. 768.

Approved, May 6, 1937.

## [CHAPTER 150]

## AN ACT

Authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France.

May 6, 1937  
[H. R. 2911]  
[Public, No. 62]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the French Government for the account of Henry Borday, a citizen of France, as compensation for personal injuries sustained by him due to an assault at his place of business at Port au Prince, Haiti, by two United States marines on October 3, 1916, the sum of \$1,000.

France.  
Payment to, as indemnity for personal injuries to Henry Borday, authorized.  
*Post*, p. 768.

Approved, May 6, 1937.

## [CHAPTER 151]

## AN ACT

Authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Company, Limited.

May 6, 1937  
[H. R. 2912]  
[Public, No. 63]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Company, Limited, as full indemnity for losses sustained by the said company as the result of a collision between United States Marine Corps truck numbered 1130 and tramcar B. 168 owned by the company in Shanghai, China, on November 29, 1929, the sum of (the equivalent of \$157.20 Mexican) \$78.60.

Great Britain.  
Payment to, for losses sustained by Shanghai Electric Construction Company, Limited, authorized.  
*Post*, p. 768.

Approved, May 6, 1937.

## [CHAPTER 152]

## AN ACT

May 6, 1937  
[H. R. 2913]  
[Public, No. 64]

Authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada.

Canada.  
Payment to, for injury to Janet Hardcastle Ross, authorized.  
Post, p. 768.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada, in full settlement of all claims for personal injury resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, California, on March 27, 1929, the sum of \$920.45.

Approved, May 6, 1937.

## [CHAPTER 153]

## AN ACT

May 6, 1937  
[H. R. 2914]  
[Public, No. 65]

Authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, a citizen of Chile.

Chile.  
Payment to, for the account of Enriqueta Koch v. de Jeanneret, authorized.  
Post, p. 769.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret as complete indemnity for injuries to her daughter, Lucia de Jeanneret, of Valparaiso, Chile, occasioned by an assault at Valparaiso by Andrew Stanley Kondek, seaman, United States Navy, on February 4, 1921, and as reimbursement of all expenses caused thereby, the sum of \$2,000.

Approved, May 6, 1937.

## [CHAPTER 154]

## AN ACT

May 6, 1937  
[H. R. 2915]  
[Public, No. 66]

Authorizing an appropriation for payment to the Government of China for the account of Li Po-tien.

China.  
Payment to, as indemnity for injuries to Li Po-tien, authorized.  
Post, p. 768.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Li Po-tien, a citizen of China, as compensation for personal injuries sustained as a result of an assault committed by Anthony R. Tofil, private, United States marines, at Tientsin, China, on January 2, 1929, the sum of \$300.

Approved, May 6, 1937.

## [CHAPTER 155]

## AN ACT

May 6, 1937  
[H. R. 2916]  
[Public, No. 67]

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

China.  
Payment to, as indemnity for injuries to certain citizens, authorized.  
Post, p. 768.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Ch'u Shih-hsiang (Cheu S. Ziang), a citizen of China, the sum of \$300, and for the account of Ma Jui-hsiang (Mo Zung Poo), a citizen of China, the sum of \$300 in full

settlement of all claims for personal injuries sustained as a result of an assault committed by William H. Moon, corporal, United States Marines, at Shanghai, China, on May 26, 1931.

Approved, May 6, 1937.

[CHAPTER 156]

AN ACT

Authorizing an appropriation for the payment of the claim of General Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona.

May 6, 1937  
[H. R. 2917]  
[Public, No. 68]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000, of which amount \$15,000 is to be paid to the Government of Mexico for the account of General Higinio Alvarez in full settlement of his claim against the United States with respect to the ownership of lands on the Farmers Banco in the State of Arizona, and the remaining \$5,000 is to be paid to the executors or administrators of the estate of R. E. Fishburn, deceased, in full settlement of such interest in the said Farmers Banco or the proceeds of the settlement therefor as was acquired by virtue of a grant to R. E. Fishburn dated January 6, 1927, signed by General Alvarez, or by the assignment by General Alvarez dated December 3, 1935, in favor of Mrs. R. E. Fishburn and other heirs of said R. E. Fishburn, or by both such grant and assignment, for distribution according to law: *Provided, however,* That no payment shall be made unless and until the Secretary of State shall have received from the Government of Mexico satisfactory assurances that no transfer, other than that specified herein, has been made by General Alvarez, or by anyone acting for or under him, of any part of his right, title, or interest in or to the property comprising the Farmers Banco; until the written opinion of the Attorney General shall be had in favor of the validity of the title; and until General Alvarez has given to the United States a quitclaim deed, in such form as may be deemed satisfactory to the Secretary of State, to all of his right, title, and interest in and to all of the land comprising the Farmers Banco, claimed by him under an instrument of grant dated October 22, 1926, signed by the Constitutional President of the United Mexican States, or otherwise.

Mexico.  
Payment to, in settlement of claim of General Higinio Alvarez and others, authorized.  
*Post*, p. 769.

*Proviso.*  
Condition.

Validity of title.  
Deed.

Approved, May 6, 1937.

[CHAPTER 157]

AN ACT

Authorizing an appropriation for payment to the Government of China for the account of certain citizens of China.

May 6, 1937  
[H. R. 2918]  
[Public, No. 69]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of the estate of Chang Hsi Ying, in full settlement of all claims arising out of a collision in Chinese waters, on June 2, 1927, between the United States naval vessel Bittern and a Chinese junk, resulting in the drowning of Chang Hsi Ying, a member of the crew of the junk, the sum of \$500.

China.  
Payment to, in settlement of claims of certain citizens, authorized.  
*Post*, p. 768.

Approved, May 6, 1937.

## [CHAPTER 158]

## AN ACT

May 6, 1937  
[H. R. 2919]

[Public, No. 70]

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

China.  
Payment to, in settlement of claims of certain citizens, authorized.

Post, p. 768.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of the estate of Li Ying-ting (Li Ing Ding), a citizen of China, the sum of \$1,500 as full indemnity for the deaths of Li Yuen Han (Li Yung-hang), Wang Sze (Li Hwang-shih), Chun Wo (Li Chen-Ho), and Foh Ling (Li Fu-lin), the son, daughter-in-law, grandson, and granddaughter, respectively, of Li Ying-ting (Li Ing Ding), resulting from a collision between the junk of Li Ying-ting (Li Ing Ding), and a United States naval vessel on the Yangtze River on July 3, 1925, and for medical and burial expenses incurred by Li Ying-ting (Li Ing Ding), as a result of the collision.

Approved, May 6, 1937.

## [CHAPTER 159]

## AN ACT

May 6, 1937  
[H. R. 2920]

[Public, No. 71]

Authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject.

Dominican Republic.

Payment to, as compensation to widow of Emeterio Sanchez in recognition of meritorious services, authorized.

Post, p. 769.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject, as a recognition by this Government of the meritorious services rendered by her late husband, Emeterio Sanchez, in rescuing certain members of the United States battleship Memphis on August 29, 1916, and to relieve her present financial condition, the sum of \$500.

Approved, May 6, 1937.

## [CHAPTER 160]

## AN ACT

May 6, 1937  
[H. R. 2921]

[Public, No. 72]

Authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China.

China.  
Payment to, as indemnity for injuries, etc., to Ling Mau Mau, authorized.

Post, p. 768.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Ling Mau Mau, a citizen of China, as full indemnity for the personal injuries received by him as the result of a collision between the junk of Wong Miao Fah and a United States naval vessel on the Whangpoo River, Shanghai, China, on May 20, 1930, and for medical expenses incurred by Ling Mau Mau in connection with his injuries, the sum of \$1,500.

Approved, May 6, 1937.

## [CHAPTER 161]

## AN ACT

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

May 6, 1937  
[H. R. 2922]  
[Public, No. 73]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Yao Ah-Ken, \$1,500; Chiang Ah-erh (Tsiange Ah Erh), \$1,500; the family of Ts'ao Jung-k'uan (Dzao Yong Kwer), \$1,500, as full indemnity for losses sustained by Yao Ah-Ken, Chiang Ah-erh (Tsiange Ah Erh), and by the family of Ts'ao Jung-k'uan (Dzao Yong Kwer) as the result of a collision between United States Marine Corps truck numbered 1130 and tramcar B. 168, owned by the Shanghai Electric Construction Company, Limited, in Shanghai, China, on November 29, 1929.

China.  
Payment to, as indemnity for losses of certain citizens, authorized.  
Post, p. 798.

Approved, May 6, 1937.

## [CHAPTER 162]

## AN ACT

Authorizing an appropriation for payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others.

May 6, 1937  
[H. R. 2923]  
[Public, No. 74]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Nicaragua for the account of Mercedes V. de Williams, a citizen of Nicaragua, as reimbursement for the deterioration of a boat said to have been owned by Mrs. Williams' husband, Fordyce (Frank) Williams, now deceased, and to have been loaned by him to individual members of the Marine Corps stationed at Prinzapolka, Nicaragua, for recreational purposes, and to have been used by them for such purposes in 1928 and 1929, the sum of \$75; for the account of Raimunda Valladares de Calderon, the widow of Justo Calderon, and the children of Justo Calderon, a native of Nicaragua, who was shot to death by a member of the United States naval forces on January 30, 1930, the sum of \$2,500; for the account of Demetrio Valle, a citizen of Nicaragua, as full indemnity for losses sustained by him as the result of a bombing operation by a United States Marine Corps airplane near Palasagua, Nicaragua, on or about April 11, 1929, the sum of \$600; for the account of Salvador Buitrago Diaz, a Nicaraguan citizen, as full indemnity for damages alleged to have been done to his property by United States marines on February 6, 1921, the sum of \$1,500; for the account of the following-named families and individuals the sum of \$11,700 as a total indemnity for losses sustained as a result of the death or personal injury of Manuel Gomez Molino and others during encounters with United States marines in December 1921 and January 1922; (1) to the family of Manuel Gomez Molino, who was killed December 8, 1921, \$1,500; (2) to the family of Obdulio Gomez, who was killed December 8, 1921, \$1,500; (3) to the family of Guadalupe Balverve (Valverde), who was killed December 8, 1921, \$1,500; (4) to the family of Francisco Ramos, who was killed January 25, 1922, \$1,500; (5) to the family of Estanislao Rocha, who was killed January 25, 1922, \$1,500; (6) to the family of Julio Carballo, who was killed January 25, 1922, \$1,500; (7) to the family of Manuel Hernandez, who was killed January 25, 1922, \$1,500; (8) to Manuel Pineda, who was wounded December 8, 1921, \$150; (9) to Alejandro

Nicaragua.  
Payment to, for the account of Mercedes V. de Williams and others, authorized.  
Post, p. 769.

Malespin, who was wounded December 8, 1921, \$150; (10) to Ignacio Doña, who was wounded December 8, 1921, \$150; (11) to Manuel Aburto, who was wounded January 25, 1922, \$150; (12) to Teofilo Farcia (Teofilo Garcia), who was wounded January 25, 1922, \$150; (13) to Pedro R. Vega, who was wounded January 25, 1922, \$150; (14) to Gilberto Lopez, who was wounded January 25, 1922, \$150; (15) to Juan Ortiz, who was wounded January 25, 1922, \$150; for the account of Benjamin Gonzalez, of the city of Managua, Nicaragua, as full indemnity for money expended by him because of his being wounded by shooting by Robert C. Lare, a private of the United States Marine Corps, while on police patrol in said city, the sum of \$343.55; for the account of Doctors Enrique Klinghoffer and Br. Rappaccioli, of Diriamba, Nicaragua, in full satisfaction of all claims against the United States for professional services, medicines, and so forth, furnished on November 10 and 11, 1929, to the late Major Charles S. McReynolds, United States Marine Corps, who was suffering from numerous stab wounds, the sum of \$250; and for the account of Juan Francisco Rivas, a resident of Leon, Nicaragua, the sum of \$38.50, of which \$32.50 is to reimburse the said Rivas for the cost of medical services rendered to said Rivas and his family and made necessary by an attack upon said Rivas, his wife, and child by two privates in the United States Marine Corps Expeditionary Brigade in Nicaragua, on June 5, 1927, and \$6 of which is to reimburse the said Juan Francisco Rivas for clothing of his said wife, damaged during said assault; for the account of Horacio de Jesus Castillo, a citizen of Nicaragua, as full indemnity for personal injuries sustained by him as the result of an assault committed upon him by a member of the United States Marine Corps at Matagalpa, Nicaragua, on February 24, 1931, the sum of \$1,000; for the account of Emelina Obando, a citizen of Nicaragua, as full compensation for personal injuries sustained as the result of an assault committed upon her by a member of the United States Marine Corps at Matagalpa, Nicaragua, on November 3, 1931, the sum of \$100; for the account of the children of Jesus Diaz, a citizen of Nicaragua, as full indemnity for his death as the result of being struck by a sack of post-exchange supplies dropped from a United States Marine Corps airplane at Matagalpa, Nicaragua, on June 21, 1928, the sum of \$300; for the account of Domingo Portillo, of Matagalpa, as reimbursement of expenses paid by him for the funeral of Jesus Diaz, the sum of \$21.50; and for the account of José Luis Mongrio, of Matagalpa, as reimbursement for the cost of repairs to the roof of his house in that city damaged by the dropping of a sack of post-exchange supplies from a United States Marine Corps airplane on June 21, 1928, the sum of \$80; in all, \$18,508.55.

Approved, May 6, 1937.

[CHAPTER 163]

AN ACT

Authorizing an appropriation for payment to the Government of Great Britain for the account of certain British citizens.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of the estate of Samuel Richardson, as full indemnity for the death of Samuel Richardson, who is alleged to have been killed at Consuelo, Dominican Republic, by United States marines on May 1, 1921, the sum of \$1,000.

Approved, May 6, 1937.

May 6, 1937

[H. R. 2925]

[Public, No. 75]

Great Britain.  
Payment to, as indemnity for death of Samuel Richardson, authorized.  
Post, p. 768.

## [CHAPTER 164]

## AN ACT

To authorize the Attorney General to settle outstanding claims against Chapman Field, Florida, and for other purposes.

May 6, 1937  
[H. R. 4287]  
[Public, No. 76]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney General is hereby authorized to settle, adjust, and compromise any and all outstanding claims, including that of the Royal Citrus Groves Company, adverse to the Government's title to Chapman Field, Florida, including all accretions, relictions, shoals, islands, tidelands, and underwater lands lying seaward of the fastlands included in the United States Public Land Survey of 1847, and to take such steps as he may deem necessary to remove all clouds upon the Government's title thereto, and there is hereby authorized to be appropriated the sum of \$5,000, or so much thereof as may be necessary, for such purpose.

Chapman Field, Fla.  
Settlement of outstanding claims against, authorized.

Appropriation authorized.

Approved, May 6, 1937.

## [CHAPTER 179]

## JOINT RESOLUTION

To provide emergent appropriations for certain Federal activities for the remainder of the fiscal year ending June 30, 1937.

May 14, 1937  
[H. J. Res. 331]  
[Pub. Res., No. 28]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to supply emergent appropriations for the continued functioning during the fiscal year ending June 30, 1937, of the following activities, respectively:

Emergent appropriations for certain Federal activities, fiscal year 1937.

## SENATE

To pay to Pearl Duke Bachman, widow of Honorable Nathan L. Bachman, late a Senator from the State of Tennessee, \$10,000.

Senate.

Nathan L. Bachman.  
Pay to widow.

## FEDERAL TRADE COMMISSION

**Salaries and expenses:** For an additional amount for five Commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, \$290,000.

Federal Trade Commission.

Salaries and expenses.

**Printing and binding:** For an additional amount for all printing and binding for the Federal Trade Commission, fiscal year 1937, \$7,500.

Printing and binding.

## INTERSTATE COMMERCE COMMISSION

**Air mail:** For an additional amount to enable the Interstate Commerce Commission to perform the duties imposed upon it by the Act approved June 12, 1934, entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy" (U. S. C., title 39, secs. 469-469q) as amended by the Act approved August 14, 1935, entitled "An Act to amend the air-mail laws and to authorize the extension of the Air Mail Service" (49 Stat. 614-619), including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, \$20,000: *Provided*, That the limitation of \$130,000 on the amount that may be expended for the personal services in the District of Columbia from the appropriation for air mail contained in the Independent Offices Appropriation Act, 1937, is hereby increased to \$145,000.

Interstate Commerce Commission.

Air mail.

48 Stat. 933, 1243.  
39 U. S. C. §§ 469-469q.

49 Stat. 614-619.  
39 U. S. C., Supp. II, §§ 469a-469m.

49 Stat. 1175.

*Proviso.*  
Amount for services in the District increased.



Motor transport regulation, expenses.

49 Stat. 543-567.  
49 U. S. C., Supp. II, §§ 301-327.  
49 Stat. 1175.

*Provisos.*  
Automobiles, price limitation.

Use of transportation requests.

Railroad Retirement Board.

Salaries and expenses.

49 Stat. 1178.  
Vehicles.

Department of Commerce.

Bureau of Marine Inspection and Navigation.  
Departmental salaries.

Salaries and general expenses.

49 Stat. 1337.  
Overtime pay, local inspectors.

49 Stat. 1385.  
46 U. S. C., Supp. II, § 382b.

Treasury Department.

Bureau of the Mint.

Mints and assay offices.  
49 Stat. 1841.

Motorbus.

*Proviso.*  
Maintenance, etc.  
*Post*, p. 151.

**Motor transport regulation:** For an additional amount for all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 Stat. 543-567), including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, \$350,000: *Provided*, That the limitation of \$3,250 on the amount that may be expended for the purchase of motor-propelled passenger-carrying vehicles from the appropriation for motor transport regulation contained in the Independent Offices Appropriation Act, 1937, is hereby increased to \$30,000: *Provided further*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as such members.

## RAILROAD RETIREMENT BOARD

**Salaries and expenses:** For an additional amount for three Board members and for all authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, and including the purchase (including exchange) of two motor-propelled passenger-carrying vehicles to replace the three passenger automobiles now operated and maintained by the Board, \$280,000.

## DEPARTMENT OF COMMERCE

### BUREAU OF MARINE INSPECTION AND NAVIGATION

**Departmental salaries:** For an additional amount for the Director and other personal services in the District of Columbia, fiscal year 1937, \$60,460.

**Salaries and general expenses:** For an additional amount for salaries of shipping commissioners, steamboat inspectors, and other personal services, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, \$215,900, of which amount \$50,000 shall be available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants, and United States shipping commissioners and their deputies and assistants, for which the United States receives reimbursement in accordance with the provisions of section 6 of the Act of May 27, 1936 (49 Stat. 1380).

## TREASURY DEPARTMENT

### BUREAU OF THE MINT

**Salaries and expenses, mints and assay offices:** For an additional amount for salaries and expenses, mints and assay offices, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, and including the purchase of one motorbus at not to exceed \$1,500, and the maintenance, repair, and operation thereof for use at the Fort Knox Bullion Depository, \$262,500: *Provided*, That the appropriation under this head for the fiscal year 1938 shall be available for maintenance, repair, and operation of such motorbus.

Approved, May 14, 1937.

## [CHAPTER 180]

## AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1938, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1938, namely:

## OFFICE OF THE SECRETARY

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, three Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, including the temporary employment of experts, \$207,300: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury and the Assistant Postmasters General, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, \$30,000.

## DIVISION OF RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, \$60,000.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of

May 14, 1937  
[H. R. 4720]  
[Public, No. 77]

Treasury and Post Office Departments Appropriation Act, 1938.

Title I—Treasury Department.

Appropriation for fiscal year 1938.

Secretary's office.

Secretary, Under Secretary, Assistants, and office personnel.

Experts.

*Provisos.*  
Salaries limited to average rates under Classification Act; exceptions.  
5 U. S. C. §§ 661-674.

Advances in meritorious cases.

Not applicable to clerical-mechanical service.

No reduction in fixed salaries.  
5 U. S. C. § 666.

Transfers without reduction.

Higher salary rates permitted.

If only one position in a grade.

Emergency Banking, Gold Reserve, and Silver Purchase Acts, etc.

Personal services.  
48 Stat. 1, 337, 1178.

Division of Research and Statistics.

Salaries.

Services in the District under designated Acts, etc.

1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, \$70,000.

Subscriptions to paid-in surplus of Federal land banks.  
48 Stat. 43.

49 Stat. 1635; 48 Stat. 1060.

Old age reserve account, annual premium.  
49 Stat. 622.  
42 U. S. C., Supp. II, § 401.

*Proviso.*  
Availability and investment.

Subscriptions to paid-in surplus of Federal land banks: To enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks under section 23 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), \$20,000,000, together with the unexpended balances of the fund for this purpose created by the First Deficiency Appropriation Act, fiscal year 1936, and of the appropriation for this purpose continued in the Emergency Appropriation Act, fiscal year 1935.

Old-age reserve account, Social Security Act: For an amount sufficient as an annual premium for the payments required under title II of the Social Security Act, approved August 14, 1935 (U. S. C., title 42, sec. 401), and authorized to be appropriated to the old-age reserve account established under section 201 (a) of the Act, \$500,000,000: *Provided*, That such amount shall be available until expended for making payments required under the Act, and the amounts not required for current payments shall be invested from time to time in such amounts and in such manner as the Secretary of the Treasury may deem most expedient in accordance with the provisions of such Act.

General Counsel's office.

#### OFFICE OF GENERAL COUNSEL

Salaries.

Salaries: For the General Counsel and other personal services in the District of Columbia, \$97,000.

Services in the District under designated Acts, etc.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, \$55,000.

Office of Chief Clerk and Superintendent.

#### OFFICE OF CHIEF CLERK AND SUPERINTENDENT

Salaries.

Operating force of designated buildings.

Salaries: For the Chief Clerk and other personal services in the District of Columbia, including the operating force of the Treasury, Liberty Loan, and Auditors' Buildings, and the Treasury Department Annex, Pennsylvania Avenue and Madison Place, and of other buildings under the control of the Treasury Department, \$520,000.

Services in the District under designated Acts, etc.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, \$25,000.

#### MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

Department contingent expenses.  
Operating expenses, Department buildings.  
Books, periodicals, etc.

Traveling expenses.

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; newspaper clippings, financial journals, books of reference, law books, technical and scientific books, newspapers, and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding \$5,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for

conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; purchase and exchange of motor trucks, and maintenance and repair of motor trucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders; miscellaneous hardware; streetcar fares not exceeding \$500; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish; postage; uniforms for Treasury guards not exceeding \$1,200; custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (U. S. C., title 40, secs. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in connection therewith; and other absolutely necessary articles, supplies, and equipment not otherwise provided for; \$170,000: *Provided*, That the appropriations for the Public Debt Service, Internal Revenue Service, Federal Alcohol Administration, and Division of Disbursement for the fiscal year 1938 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Treasury Department when the aggregate amount involved does not exceed the sum of \$50.

For supplies and materials, communications service, travelling expenses, equipment, and miscellaneous expenses in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933, the Gold Reserve Act of 1934, the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued under such Acts, \$55,000.

#### DIVISION OF PRINTING

**Salaries:** For the Chief, Division of Printing, and other personal services in the District of Columbia, \$69,240.

**Printing and binding:** For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, including materials for the use of the bookbinder, located in the Treasury Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (U. S. C., title 44, sec. 111), \$775,000.

**Stationery:** For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, \$475,000.

Vehicles.

Fuel, light, power, etc.

Furniture, etc.

Sales of lands and other property.  
R. S. §§ 3749, 3750.  
40 U. S. C. §§ 301, 302.

*Process.*  
Additional funds.  
Post, pp. 141, 143, 144.  
Apportionment.

31 U. S. C. § 669.  
Minor purchases without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.

Expenses under designated Acts.

Division of Printing.

Salaries.

Printing and binding.

Work excluded.

40 Stat. 1270.  
44 U. S. C. § 111.

Stationery.

Accounts and De-  
posits office.

Salaries.

Division of Dis-  
bursement.  
Salaries and ex-  
penses.

*Proviso.*

Transfer of funds  
from designated agen-  
cies for administrative  
expenses.

Use of stenciled, etc.,  
lists in preparing pay-  
roll vouchers.  
37 Stat. 375.

Contingent expen-  
ses, public moneys.  
R. S. § 3653.  
21 U. S. C. § 545.  
*Post*, p. 772.

Examination of de-  
positories.

R. S. § 3649.  
31 U. S. C. § 548.

Recoinage of minor  
coins.

Recoinage of silver  
coins.

Relief of the indi-  
gent, Alaska.

Refund of moneys  
erroneously received  
and covered.

# OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

**Salaries:** For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, including the Division of Bookkeeping and Warrants, \$290,000.

**Division of Disbursement, salaries and expenses:** For personal services in the District of Columbia and in the field, stationery, travel, rental of equipment, and all other necessary miscellaneous and contingent expenses, \$1,427,500: *Provided*, That with the approval of the Director of the Bureau of the Budget there may be transferred to this appropriation from funds available for the Agricultural Adjustment Administration (including transfers to the Bureau of Internal Revenue for administrative expenses), Federal Housing Administration, Federal Prison Industries, Railroad Retirement Board, Social Security Board, and the United States Maritime Commission, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor: *Pro- vided further*, That hereafter the provisions of the Act of August 23, 1912 (37 Stat. 375), shall not preclude the furnishing by the Division of Disbursement, Treasury Department, at the request of administrative officers, of addressographed or stenciled lists of persons receiving periodic payments from the United States, which lists, as administratively revised and certified, if otherwise in proper form, may constitute the voucher upon which the Division of Disbursement may make payment.

**Contingent expenses, public moneys:** For contingent expenses under the requirements of section 3653 of the Revised Statutes (U. S. C., title 31, sec. 545), for the collection, safe-keeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, salaries of special agents, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (U. S. C., title 31, sec. 548), also including examinations of cash accounts at mints and cost of insurance on shipments of money by registered mail or otherwise when necessary, \$200,000.

**Recoinage of minor coins:** To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$25,000.

**Recoinage of silver coins:** To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$600,000.

**Relief of the indigent, Alaska:** For the payment to the United States district judges in Alaska but not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska, to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, \$20,000.

**Refund of moneys erroneously received and covered:** To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished

under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, \$50,000.

Payment of unclaimed moneys: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", \$12,000.

48 Stat. 1231.  
31 U. S. C. § 725q.

Payment of unclaimed moneys.

48 Stat. 1230.  
31 U. S. C. § 725p.

#### PUBLIC DEBT SERVICE

Salaries and expenses: For necessary expenses connected with the administration of any public-debt issues and United States paper-currency issues with which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and the maintenance, operation, and repair of a motor-propelled bus or station wagon for use of the Destruction Committee, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, \$2,100,000: *Provided*, That the amount to be expended for personal services in the District of Columbia shall not exceed \$2,075,000: *Provided further*, That the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (U. S. C., title 31, secs. 760, 761), shall not be used during the fiscal year 1938 to supplement the appropriation herein made for the current work of the Public Debt Service and the amount obligated under such indefinite appropriation during such fiscal year shall not exceed \$2,978,000.

Public Debt Service.

Salaries and expenses.

Reference books, etc.

Services in the District.

Provisos.  
Limitation.

Use of indefinite appropriation restricted.  
31 U. S. C. §§ 760, 761.

Distinctive paper for United States securities: For distinctive paper for United States currency and Federal Reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty; in all, \$716,900: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1938 between the two bidders whose prices per pound are the lowest received after advertisement.

Distinctive paper for securities.  
Expenses.

Proviso.  
Division of award.

#### DIVISION OF APPOINTMENTS

Salaries: For the Chief of the Division, and other personal services in the District of Columbia, \$44,480.

Appointments Division.

Salaries.

#### BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$100,000 for the securing of evidence of violations of the customs laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed \$84,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but not to exceed \$1,700 for any one person; not to exceed \$5,000 for the hire of motor-pro-

Customs Bureau.

Salaries and expenses.

Transfer of receipts from points lacking Government depositories.

Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

Quarters along borders.

46 Stat. 817.  
19 U. S. C. § 68.

Overtime pay, at expense of parties in interest.

36 Stat. 901; 41 Stat. 402; 46 Stat. 715.  
19 U. S. C. §§ 261, 267, 1451.

*Provisos.*  
Deposit of receipts as refund to appropriation.

19 U. S. C. § 1524.  
Seizures, etc., under customs laws.

Details to District from field force.  
46 Stat. 741.  
19 U. S. C. § 1525.

Vehicle restriction.

Advance payments in foreign countries.  
R. S. § 3648.  
31 U. S. C. § 529; Supp. II, § 529b.  
Refunds and drawbacks.

Bureau of the Budget.

Salaries and expenses.

Printing and binding.

Treasurer's office.

Salaries.

Redeeming Federal Reserve and national currency.

Transportation and insurance costs, gold coin, etc.  
48 Stat. 337.

pelled passenger-carrying vehicles; not to exceed \$500 for subscriptions to newspapers; not to exceed \$1,500 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (U. S. C., title 19, sec. 68); and including the purchase (not to exceed \$87,500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; \$20,636,060, of which such amount as may be necessary shall be available for the payment of extra compensation earned by customs officers or employees for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930 (U. S. C., title 19, secs. 261, 267, and 1451): *Provided*, That the receipts from such parties in interest for such overtime services shall be deposited as a refund to the appropriation from which such overtime compensation is paid, in accordance with the provisions of section 524 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1524); for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accessories, and \$459,180 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: *Provided*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia except one for use in connection with the work of the customhouse in Georgetown: *Provided further*, That section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529b) shall not apply to payments made for the Bureau of Customs in foreign countries.

**Refunds and drawbacks:** For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, \$16,000,000.

#### BUREAU OF THE BUDGET

**Salaries and expenses:** Director, Assistant Director, and all other necessary expenses of the Bureau, including compensation of attorneys and other employees in the District of Columbia; contract stenographic reporting services, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, traveling expenses, street car fares; \$187,000.

For printing and binding, \$35,000.

#### OFFICE OF TREASURER OF THE UNITED STATES

**Salaries:** For treasurer of the United States, Assistant Treasurer, and for other personal services in the District of Columbia, \$1,150,000.

For personal services in the District of Columbia, in redeeming Federal Reserve and national currency, \$85,000, to be reimbursed by the Federal Reserve and national banks.

For costs of transportation and insurance of gold coin and gold certificates transferred to Federal Reserve banks and branches and to the Treasury in carrying out the provisions of the Gold Reserve Act of 1934, \$4,000.

## OFFICE OF THE COMPTROLLER OF THE CURRENCY

Comptroller's office.

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, \$204,300.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), \$55,300.

For personal services in the District of Columbia in connection with Federal Reserve and national currency, \$16,380, to be reimbursed by the Federal Reserve and national banks.

Salaries.

Personal services,  
Emergency Banking  
Act.  
48 Stat. 1.

Personal services,  
reimbursable.

## BUREAU OF INTERNAL REVENUE

Internal Revenue Bureau.

Salaries and expenses.

Salaries and expenses: For salaries and expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue; including the Commissioner of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, an assistant to the Commissioner, a special deputy commissioner, four deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, investigators, chemists, supervisors, storekeeper-gaugers, guards, clerks, janitors, and messengers in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents and the several supervisory districts, to be appointed as provided by law; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, rent in the District of Columbia and elsewhere, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of Title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872-881), and the operation, maintenance, and repair of property acquired under such title III; for the exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax Unit in field work; and the purchase of such supplies, equipment, furniture, mechanical devices, laboratory supplies, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents, and the several supervisory districts, \$58,240,520, of which amount not to exceed \$11,678,160 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpoenaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of jurors and witnesses, United States courts": *Provided further*, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or

Commissioner, Assistant General Counsel, and other personal services.

Securing evidence of violations.

Miscellaneous expenses.

Acquisition of property.  
49 Stat. 879.  
40 U. S. C., Supp. II,  
§ 304h.

Vehicles.

Services in the District.

*Provides*.  
Expenses of officers attending trials, etc.

*Post*, p. 278.

Detection and prosecution of violations.



conniving at the same, including payments for information and detection of such violation.

Expenses under Silver Purchase Act of 1934, etc.  
48 Stat. 1181.

For salaries and expenses in connection with carrying out the provisions of the Silver Purchase Act of 1934 and any Executive orders, proclamations, and regulations issued thereunder, including not to exceed \$20,340 for personal services in the District of Columbia, supplies and materials, traveling expenses, printing and binding, rents, equipment, and miscellaneous expenses, \$50,000.

Refunding taxes.

45 Stat. 398.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1938 and prior years and accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", \$30,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the Act of May 29, 1928 (U. S. C., title 26, sec. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

*Proviso.*  
Detailed report to Congress of refunds.

45 Stat. 996.  
26 U. S. C. § 1676.

Alaska railroads, additional income tax.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, and the amount of such additional tax to be applicable to general Territorial purposes, \$10,900.

Federal Alcohol Administration.

#### FEDERAL ALCOHOL ADMINISTRATION

Salaries and expenses.

49 Stat. 977.  
27 U. S. C., Supp.  
II, §§ 201-212.

Salaries and expenses: For the purpose of administering the provisions of the "Federal Alcohol Administration Act", approved August 29, 1935 (49 Stat. 977), as amended, including personal and other services; supplies and materials; equipment; communication service; stationery; travel and subsistence expenses as authorized by law; maintenance, repair, and operation of automobiles; law books, books of reference, magazines, periodicals, and newspapers; contract stenographic reporting service; the securing of evidence of violations of the Act; and miscellaneous and contingent expenses, \$450,000.

Securing of evidence.

Narcotics Bureau.

#### BUREAU OF NARCOTICS

Salaries and expenses.

38 Stat. 785.  
26 U. S. C. §§ 1383-1391, 1040-1064.  
35 Stat. 614; 42 Stat. 596.  
21 U. S. C. §§ 171-184.  
44 Stat. 1381; 5 U. S. C. § 281c.  
46 Stat. 585; 5 U. S. C. §§ 282-282c.  
*Post*, p. 772.

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (U. S. C., title 26, secs. 1383-1391), as amended by the Revenue Act of 1918 (U. S. C., title 26, secs. 1040-1064), the Act approved February 9, 1909, as amended by the Act of May 26, 1922 (U. S. C., title 21, secs. 171-184), known as the Narcotic Drugs Import and Export Act, pursuant to the Act of March 3, 1927 (U. S. C., title 5, sec. 281c), and the Act of June 14, 1930 (U. S. C., title 5, secs. 282-282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of information and evidence of violations of the Acts; the costs of chemical analyses made by others than employees of the United States; the transportation of household and other personal effects incident to the change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds in any one case, together with the necessary expenses incident to packing, crating, boxing, and draying same; the purchase of such

Transportation of personal effects.

supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal-revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); purchase (not to exceed \$10,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition, and for rental of necessary quarters in the District of Columbia and elsewhere; in all, \$1,267,600, of which amount not to exceed \$183,121 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of the Act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding \$10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding \$1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be reimbursed to the appropriation for enforcement of the Narcotic Acts current at the time of the deposit.

## COAST GUARD

Office of the Commandant: For personal services in the District of Columbia, \$389,240: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed on such duty at any time above ten.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and delivered to the Treasury Department under the terms of the Act approved March 3, 1925 (U. S. C., title 27, sec. 41), maintenance, repair, exchange, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes at headquarters and in the field, and the rental of quarters in the District of Columbia, as follows:

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and two civilian instructors, retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (U. S. C., title 14, sec. 178 a), and not exceeding \$8,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; for carrying out the provisions of the Act of June 4, 1920 (U. S. C., title 34, sec. 943); not to exceed \$5,000 for cost of special instruction, including maintenance of students; rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses for other persons traveling on duty under orders from the Treasury Department, including transportation of enlisted men and applicants for enlistment, with subsistence and transfers en route, or cash in

Seizures, etc.

R. S. § 3460.  
26 U. S. C. § 1624.

Rent.

Services in the District.  
*Provisos.*  
Use of confiscated vehicles.  
43 Stat. 1116.  
19 U. S. C. §§ 522-524.  
Law observance.

Credit for sums expended.

Coast Guard.

Office personnel.

*Proviso.*  
Details at headquarters restricted.

Service expenditures.

43 Stat. 1116.  
19 U. S. C. §§ 522-524.

Pay and allowances.  
*Post*, p. 772.

Retired members of former Life Saving Service.  
46 Stat. 164.  
14 U. S. C. § 178a.  
Cash prizes.

Death allowance.  
41 Stat. 824.  
34 U. S. C. § 943.

Traveling expenses

Recruiting, etc.	lieu thereof; expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men, \$18,094,000; <i>Provided</i> , That no part of this appropriation shall be used for increased pay at a rate in excess of \$1,440 per annum to any nonflying commissioned officer or commissioned officer observer for making aerial flights; which rate shall be the legal maximum rate of such increased pay as to any such officer;
<i>Proviso.</i> Pay restriction.	
Fuel and water.	Fuel and water: For fuel, lubricating oil, kerosene, and water, and for the furnishing of heat, light, and power (service), for vessels, stations, and houses of refuge, \$1,475,000;
Outfits, stores, etc.	Outfits: For outfits, including repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, \$1,565,000;
Station improvements.	Rebuilding and repairing stations: For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, \$292,500;
Communication lines.	Communication lines: For coastal communication lines and facilities and their maintenance, and communication service, \$180,000;
Civilian field employees.	Civilian employees: For compensation of civilian employees in the field, including clerks to district commanders, \$192,000;
Contingent expenses.	Contingent expenses: For contingent expenses, including subsistence of shipwrecked and destitute persons succored by the Coast Guard and of prisoners while in the custody of the Coast Guard; for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, not exceeding \$40,000; instruments and apparatus, supplies, technical books and periodicals, services necessary to the carrying on of scientific investigation, and not exceeding \$4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government hospitals; wharfage, towage, freight, storage, advertising, surveys, medals, labor, newspapers, and periodicals for statistical purposes; entrance fees in matches for the rifle team, and special equipment therefor; and all other necessary expenses which are not included under any other heading, \$122,600;
Rifle matches, entrance fees, etc.	
Vessel, etc., repairs.	Repairs to vessels: For repairs to Coast Guard vessels and boats, exclusive of aircraft, \$1,459,813;
Aircraft repairs.	For repairs to Coast Guard aircraft, \$515,187;
Aviation shore stations, etc., restrictions.	No part of the appropriations contained in this Act under the Coast Guard, nor of any appropriation heretofore made, shall be used for the construction for the Coast Guard of any new permanent aviation shore station or for the permanent enlargement of the capacity of any existing aviation shore station, but this limitation shall not apply to expenditures for completion of construction for which funds were made available prior to February 5, 1936;
Replacement airplanes.	Replacement airplanes: For replacement airplanes and their equipment, including radio equipment, spare parts, and accessories, \$363,500;
<i>Proviso.</i> Aviation expenses.	Total, Coast Guard, exclusive of Office of the Commandant, \$24,259,600: <i>Provided</i> , That not more than a total of \$1,821,900 out of the appropriations contained in this Act under the caption "Coast Guard" except the appropriations "Salaries, Office of the Commandant" and "Replacement airplanes", shall be expended for aviation.

## BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1938, of United States currency and internal-revenue stamps including opium orders and special-tax stamps required under the Act of December 17, 1914 (U. S. C., title 26, secs. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

**Salaries and expenses:** For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency, national-bank currency, and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, and books of reference, not exceeding \$300; rent of warehouse in the District of Columbia; traveling expenses not to exceed \$2,000; uniforms for guards not to exceed \$2,000; miscellaneous expenses, including not to exceed \$1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed \$15,000; and for the maintenance and driving of two motor-propelled passenger-carrying vehicles; \$7,500,000, to be expended under the direction of the Secretary of the Treasury.

During the fiscal year 1938 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (U. S. C., title 31, sec. 176), shall be credited when received to the appropriation for said Bureau for the fiscal year 1938.

## SECRET SERVICE DIVISION

**Salaries:** For the Chief of the Division and other personal services in the District of Columbia, \$53,160.

**Suppressing counterfeiting and other crimes:** For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed \$25,000), exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen

Engraving and  
Printing Bureau.

Work authorized for  
fiscal year 1938.  
38 Stat. 786.  
26 U. S. C. §§ 1040,  
1383.

Salaries and ex-  
penses.

Materials, etc.

Reference books,  
etc.

Miscellaneous ex-  
penses.

Scientific investiga-  
tions.

Vehicles.

Credit of proceeds  
from work.

24 Stat. 227.  
31 U. S. C. § 176.

Secret Service Di-  
vision.

Salaries.

Suppressing coun-  
terfeiting, etc.

Protecting the Pres-  
ident, etc.

*Proviso.*  
Witness fees.

Violation of laws  
relating to Treasury  
Department, etc.

White House Police.

Uniforms and  
equipment.

Public Health Serv-  
ice.  
Office personnel.

Surgeon General,  
officers, etc., pay, etc.

Acting assistant sur-  
geons.

Part-time field em-  
ployees, etc.  
Pay on annual  
basis.

*Proviso.*  
Limitation.

Other employees.

Freight, transporta-  
tion, etc.

46 Stat. 818.  
5 U. S. C. § 118a.

*Proviso.*  
Transporting re-  
mains of officers.

National Institute  
of Health, mainte-  
nance.

Hospital mainte-  
nance, medical exam-  
inations, etc.  
39 Stat. 885.  
8 U. S. C. § 152.

to be President of the United States, \$810,000: *Provided*, That no part of the amount herein appropriated shall be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses and jurors, United States courts": *Provided further*, That of the amount herein appropriated, not to exceed \$10,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

White House Police: Captain, lieutenant, three sergeants, and for fifty-five privates, at rates of pay provided by law; in all, \$146,900.

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, \$3,750.

#### PUBLIC HEALTH SERVICE

Salaries, office of Surgeon General: For personal services in the District of Columbia, \$316,000.

Commissioned officers, pay, and so forth: For pay, allowance, and commutation of quarters for regular commissioned medical officers, including the Surgeon General and assistant surgeons general and for other regular commissioned officers, \$1,820,000.

Acting assistant surgeons, pay: For pay of acting assistant surgeons (noncommissioned medical officers), \$340,200.

Hereafter field employees of the Public Health Service, except those employed on a per-diem or fee basis, who render part-time duty and are also subject to call at any time for other services, may be paid annual compensation for such part-time duty and, in addition, such fees for such other services as the Secretary of the Treasury may determine: *Provided*, That the total amount paid to any such employee for any fiscal year shall in no case exceed the amount of the minimum annual salary rate of the classification grade of the employee.

Pay of other employees: For pay of all other employees (attendants, and so forth), \$1,000,000.

Freight, transportation, and so forth: For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed \$5,000 but not to exceed \$1,700 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings for the promotion of public health; contract stenographic reporting services; not to exceed \$450 for journals and scientific books, office of the Surgeon General; and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service, upon permanent change of station, \$25,450: *Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

National Institute of Health, maintenance: For maintaining the National Institute of Health, \$64,000.

Pay of personnel and maintenance of hospitals: For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5,

1917 (U. S. C., title 8, sec. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motor trucks and passenger motor vehicles for official use in field work (including not to exceed \$3,000 for the purchase of motor-propelled passenger-carrying vehicles) and one for use in connection with the administrative work of the Public Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding \$100 for any patient dying in hospital), \$6,150,000: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hospital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

**Quarantine service:** For maintenance and ordinary expenses, exclusive of pay of officers and employees, of United States quarantine stations, including the exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed \$9,500 for the purchase of motor-propelled passenger-carrying vehicles, \$331,250.

**Prevention of epidemics:** To enable the President, in case only of threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, \$280,000, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

**Interstate quarantine service:** For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, including the maintenance, repair, and operation of passenger-carrying automobiles, \$36,500.

**Biologic products:** To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine,

Services in the District.  
General expenses.

Vehicles.

Lepers, insane, etc.

*Provisos.*  
Use of Ellis Island hospitals.

Receipts to be covered into Treasury.

Uses forbidden.

Quarantine service.

Prevention of epidemics.

Interstate quarantine service, expenses.

Biologic products.  
Regulating sale of viruses, etc.

and for the preparation of curative and diagnostic biologic products, including personal services of Reserve commissioned officers and other personnel, \$55,000.

Venereal Diseases  
Division.  
Maintenance, etc.  
40 Stat. 886.  
42 U. S. C. §§ 24, 25.

Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (U. S. C., title 42, secs. 24, 25), including personal and other services in the field and in the District of Columbia, \$80,000, of which amount not to exceed \$19,500 may be expended for personal services in the District of Columbia.

Mental Hygiene Di-  
vision.  
46 Stat. 587.  
21 U. S. C. §§ 196,  
225.  
Lexington, Ky.,  
hospital.  
45 Stat. 1085.  
21 U. S. C. §§ 221-237.

Division of Mental Hygiene: For carrying out the provisions of section 4 of the Act of June 14, 1930 (U. S. C., title 21, secs. 196 and 225); for maintenance and operation of the United States Public Health Service Hospital, Lexington, Kentucky, in accordance with the provisions of the Act of January 19, 1929 (U. S. C., title 21, secs. 221-237), including personal services in the District of Columbia (not to exceed \$27,920) and elsewhere; traveling expenses; necessary supplies and equipment; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates and of interment or transporting remains of deceased inmates; purchase and exchange of farm products and livestock; law books, books of reference, newspapers, and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation when necessary, within continental United States and under regulations approved by the Secretary of the Treasury, of persons voluntarily admitted and discharged as cured; tobacco for inmates; and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; \$647,580.

Educational exhib-  
its.

Educational exhibits: For the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material, \$1,000.

Grants to States for  
public-health work.

49 Stat. 634.  
42 U. S. C., Supp.  
II, §§ 801, 802.

Grants to States for public-health work: For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, as authorized in sections 601 and 602, title VI, of the Social Security Act, approved August 14, 1935 (49 Stat., 634), \$8,000,000.

Diseases and sanitation  
investigations.

Diseases and sanitation investigations: For carrying out the provisions of section 603 of the Social Security Act, approved August 14, 1935, and section 1 of the Act of August 14, 1912, including rent and personnel and other services in the District of Columbia and elsewhere and items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding, the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service upon permanent change of station, and including the purchase (not to exceed \$2,500), exchange, maintenance, repair, and operation of passenger-carrying automobiles for official use in field work, \$1,600,000, of which not to exceed \$50,000 shall be available for investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

Contingent ex-  
penses.  
37 Stat. 414.  
31 U. S. C. § 669.

Automobiles.

## BUREAU OF THE MINT

Bureau of the Mint.

## OFFICE OF DIRECTOR OF THE MINT

**Salaries:** For the Director of the Mint and other personal services in the District of Columbia, \$38,360.

Salaries.

**Transportation of bullion and coin:** For transportation of bullion and coin, by registered mail or otherwise, between mints and assay offices, \$35,000.

Transportation of bullion and coin.

**Contingent expenses and examination of mints:** For assay laboratory chemicals, fuel, materials, balances, weights, and other necessities, including books, periodicals, specimens of coins, ores, and incidentals, and for examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$5,200.

Contingent expenses, etc.

**Salaries and expenses, mints and assay offices:** For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, the assay offices at New York, New York, and Seattle, Washington, and the bullion depository at Fort Knox, Kentucky, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, arms and ammunition, uniforms and accessories for guards, protective devices and their maintenance, training of employees in use of firearms and protective devices, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$500 for the expenses of the annual assay commission, and not exceeding \$1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, \$1,275,000.

Mints and assay offices. Salaries and expenses. *Ante*, p. 136.

Protective devices.

**Expenses, Silver Purchase and Gold Reserve Acts:** For salaries and expenses in the Bureau of the Mint and the mints and assay offices in connection with carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued thereunder, including not to exceed \$70,000 for personal services in the District of Columbia, supplies and materials, travel, printing, rent, equipment, and miscellaneous expenses, \$1,120,000.

Expenses, Silver Purchase and Gold Reserve Acts. 48 Stat. 337, 1178.

## PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (U. S. C., title 31, sec. 683), and for the repair, preservation, and upkeep of all completed public buildings, the mechanical equipment and the grounds thereof, and sites acquired for buildings, maintained by the Treasury Department, and for the operation of certain completed and occupied Treasury buildings, including furniture and repairs thereof, but exclusive, with respect to operation, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings:

Procurement Division, Public Buildings Branch.

Repair, preservation, and upkeep of completed buildings, etc.

35 Stat. 537.  
31 U. S. C. § 683.

**General administrative expenses:** For architectural, engineering, mechanical, administrative, clerical, and other personal services, traveling expenses, including expenses of employees directed by the Secretary of the Treasury to attend meetings of technical and professional societies and educational exhibits in connection with

General administrative expenses.



subjects related to the work of the Division of Procurement, Public Buildings Branch, and transportation of household goods, incident to change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds at any one time, together with the necessary expenses incident to packing and draying same; advertising, not exceeding \$1,000 for expenses of educational exhibits, specifically approved by the Secretary of the Treasury, testing instruments, law books, books of reference, technical periodicals and journals, drafting materials, especially prepared paper, typewriting machines, adding machines, and other mechanical labor-saving devices, and exchange of same, carpets, electric-light fixtures, furniture, equipment, and repairs thereto, telegraph and telephone service, freight, expressage, and postage incident to the transportation of drawings to and from the office and such other contingencies, articles, services, or supplies as the Secretary of the Treasury may deem necessary and specially order or approve in connection with any of the work of the Procurement Division, Public Buildings Branch; rent in the District of Columbia and elsewhere, including ground rent of the Federal building at Salamanca, New York, for which payment may be made in advance, and including such expenses necessary to wind up the affairs of the United States Housing Corporation and effect its dissolution; \$914,220, of which amount not to exceed \$502,360 may be expended for personal services in the District of Columbia and not to exceed \$275,860 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate: *Provided further*, That no expenditures shall be made hereunder for transportation of operating supplies for public buildings: *And provided further*, That in no case shall the rates of compensation for the mechanical labor force in the field under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Salamanca, N. Y.,  
ground rent.

*Proviso.*  
Cost of surveys,  
models, etc.

Not available for  
transporting operat-  
ing supplies.  
Pay rates, mechan-  
ical labor force.

Repair, preserva-  
tion, and equipment,  
public buildings.

Pneumatic tube sys-  
tem, New York City.

36 Stat. 120; 45 Stat.  
533.

*Proviso.*  
Personal services,  
restriction.

Limitation on re-  
pair, etc.

Repair, preservation, and equipment, public buildings: For repairs, alterations, improvement, and preservation of completed Federal buildings (including Marcus Hook), the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas, and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lockbox equipment in all buildings under construction or completed, and for necessary safe equipments in buildings under the administration of the Treasury Department, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533), \$2,750,000: *Provided*, That the appropriation herein made shall not be available for the payment of personal services, except for work done under contract, or for temporary job labor under exigency in an amount not to exceed \$100 at one time at any one building: *Provided further*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on

sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Operating force for public buildings: For personal services, including also telephone operators for the operation of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, \$1,573,500: *Provided*, That in no case shall the rates of compensation for the mechanical labor force under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Operating force.  
Personal services.

*Proviso.*  
Wage rates.

Furniture and repairs of furniture, public buildings: For furniture, carpets, and repairs of same, for certain completed and occupied Treasury buildings, and for public buildings in course of construction which are to be operated by the Public Buildings Branch, \$50,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Furniture, etc.

*Provisos.*  
Personal services,  
restriction.

Use of present furniture.

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for use of the custodial forces in the care and maintenance of such public buildings, the grounds thereof, and the equipment and furnishings therein; temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning, air-conditioning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein; \$460,000: *Provided*, That this appropriation shall be available for contracts for telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities in buildings under the Treasury Department where it is found that joint service is economical and in the interest of the Government, and this appropriation shall be reimbursed for the cost of such joint service from available appropriations of the offices receiving the service.

Operating supplies.  
Fuel, light, power,  
etc.

Maintenance, etc.

Miscellaneous.

*Proviso.*  
Contracts for joint  
telephone switch-  
boards.

Relief of Govern-  
ment contractors.  
Losses due to com-  
pliance with codes.

Payment of claims for relief of contractors, Act of June 16, 1934: To enable the Secretary of the Treasury to make payment of claims settled and certified by the Comptroller General of the United States under the provisions of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and for other purposes", approved June 16, 1934 (U. S. C., title 41, sec. 28), the unexpended balance of the appropriation available for this purpose for the fiscal year 1937 is continued available until June 30, 1938.

48 Stat. 974.  
41 U. S. C. § 28.

40 Stat. 1843.

Supply Branch.

PROCUREMENT DIVISION—BRANCH OF SUPPLY

Salaries and ex-  
penses.

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including office supplies and materials, purchase and exchange of motor trucks and maintenance thereof, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field (including not to exceed \$500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), \$500,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1938 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employees heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: *Provided further*, That payments during the fiscal year 1938 to the general supply fund for materials, supplies (including fuel), and services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That advances received pursuant to law (U. S. C., title 31, sec. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1938 shall be credited to the general supply fund: *Provided further*, That not to exceed \$700,000 shall be available from the general supply fund during the fiscal year 1938 for personal services: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the requirements of sections 3711 and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia: *Provided further*, That the reconditioning and repair of surplus property and equipment, for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Branch of Supply, Procurement Division."

*Proviso.*  
Transfer of avail-  
able funds to Branch  
of Supply.

Payments for mate-  
rials, etc., issued.

Advances credited  
to general supply  
fund.  
47 Stat. 417.  
31 U. S. C. § 686.

Personal services.

"Fuel" construed.  
Inspection certifi-  
cate waived.  
R. S. §§ 3711, 3713.  
40 U. S. C. § 109.

Cost of recondition-  
ing equipment.

Typewriter repairs,  
etc.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division, Branch of Supply."

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1938 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$70; twelve inches, \$75; fourteen inches, \$77.50; sixteen inches, \$82.50; eighteen inches, \$87.50; twenty inches, \$94; twenty-two inches, \$95; twenty-four inches, \$97.50; twenty-six inches, \$103.50; twenty-eight inches, \$104; thirty inches, \$105; thirty-two inches, \$107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$80; twelve inches, \$85; fourteen inches, \$90; eighteen inches, \$95: *Provided*, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Prices of standard typewriting machines; exceptions.

*proviso.*  
Quiet machines.

With the approval of the Director of the Bureau of the Budget, there may be transferred sums (not exceeding a total of \$250,000) to the appropriations, "Salaries, Office of Treasurer of United States, 1938"; "Contingent expenses, Treasury Department, 1938"; "Printing and binding, Treasury Department, 1938", and "Stationery, Treasury Department, 1938", from funds available for the Agricultural Adjustment Administration, Home Owners' Loan Corporation, Farm Credit Administration, Tennessee Valley Authority, Federal Farm Mortgage Corporation, Reconstruction Finance Corporation, Federal land banks and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, Soil Conservation Service, including Soil Conservation and Domestic Allotment, Social Security Board, and Federal Housing Administration, to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Check clearance, etc., expenses.

#### MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

Miscellaneous items.

##### AMERICAN PRINTING HOUSE FOR THE BLIND

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (U. S. C., title 20, sec. 101), \$65,000.

American Printing House for the Blind, expenses.  
44 Stat. 1060.  
20 U. S. C. § 101.

This title may be cited as the Treasury Department Appropriation Act, 1938.

Citation of title.

#### TITLE II—POST OFFICE DEPARTMENT

The following sums are appropriated in conformity with the Act of July 2, 1836 (U. S. C., title 5, sec. 380, title 39, sec. 786), for the Post Office Department for the fiscal year ending June 30, 1938, namely:

Title II—Post Office Department.

Appropriation for fiscal year 1938.  
5 Stat. 80.  
5 U. S. C. § 330; 39 U. S. C. § 786.

##### POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

##### OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, \$228,344.

Department expenses.

Postmaster General's office.

Postmaster General, and office personnel.

Salaries, bureaus  
and offices.

# SALARIES IN BUREAUS AND OFFICES

Amounts.

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of the First Assistant Postmaster General, \$375,270.  
Office of the Second Assistant Postmaster General, \$574,020.  
Office of the Third Assistant Postmaster General, \$772,935.  
Office of the Fourth Assistant Postmaster General, \$461,640.  
Office of the Solicitor for the Post Office Department, \$83,900.  
Office of the chief inspector, \$216,000.  
Office of the purchasing agent, \$42,000.  
Bureau of Accounts, \$104,930.

Department contin-  
gent expenses.

## CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Stationery, etc.

For contingent and miscellaneous expenses; stationery and blank books, index and guide cards, folders and binding devices, including purchase of free penalty envelopes; telegraph and telephone service, furniture and filing cabinets and repairs thereto; purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; purchase of one motor-propelled passenger-carrying vehicle at not to exceed \$2,500, including the exchange value of one such vehicle, and for maintenance of motor trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the Department); street-car fares; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 49 of the Cairo convention of the Universal Postal Union; purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department; newspapers, not exceeding \$200; expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding \$2,000; expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding \$800; and other expenses not otherwise provided for; \$84,500.

Printing and bind-  
ing.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$1,200,000.

Field service ap-  
propriations not to be  
used for Department.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1938 of the character heretofore used for such purposes shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per-diem allowances in lieu of actual expenses of subsistence.

*Provisos.*  
Travel expenses,  
payable from service  
appropriations.

Use in examining  
field estimates.

## FIELD SERVICE, POST OFFICE DEPARTMENT

## OFFICE OF THE POSTMASTER GENERAL

Rewards to postal employees for inventions: The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of \$200 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act shall be in addition to their usual compensation: *Provided further*, That no employee shall be paid a reward under this appropriation until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, \$3,000.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1938, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act approved June 16, 1921 (U. S. C., title 5, sec. 392), as amended by the Act approved June 22, 1934 (48 Stat. 1207), \$30,000.

Adjusted losses and contingencies, postal funds: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1938, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, \$60,000.

## OFFICE OF CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and five hundred and eighty-five inspectors, \$2,245,500.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed \$500 for technical and scientific books and other books of reference needed in the operation of the Post Office Inspection Service, \$617,125: *Provided*, That not exceeding \$20,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Clerks, division headquarters: For compensation of one hundred and ninety-four clerks at division headquarters of post-office inspectors, \$475,850.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail

Field Service.

Postmaster General.

Rewards to employees for inventions improving service.

*Proviso.*  
Additional to regular pay.  
Agreement for Government use required.

Travel, etc., expenses.

Damage claims.

42 Stat. 63; 48 Stat. 1207.  
5 U. S. C. § 392.

Adjusted losses and contingencies.

22 Stat. 29.  
39 U. S. C. § 49.

Chief Inspector's office.

Inspectors, salaries.

Traveling and miscellaneous expenses.

Investigations, etc.

*Proviso.*  
Chemical, etc., investigations.

Clerks, division headquarters.

Rewards for detecting law violations.

*Provisos.*  
 Death of offender.

Rate regulation.

Securing information.

robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode, \$55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9273, dated July 25, 1936: *Provided further*, That of the amount herein appropriated not to exceed \$20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

First Assistant Postmaster General.

Compensation to postmasters.

Assistant postmasters.

Clerks, etc., first- and second-class offices.

Contract stations, clerks.

Separating mails.

Unusual conditions.

Clerks, third-class offices.

Miscellaneous, first- and second-class offices.

Village delivery service.

Detroit River service.

Car fare and bicycle allowance.

City delivery carriers.

Special-delivery fees.

Second Assistant Postmaster General.

Star routes, except in Alaska.

Alaska.

#### OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$50,000,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, \$6,925,000.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, laborers, and substitutes, \$195,000,000.

Clerks, contract stations: For compensation to clerks in charge of contract stations, \$1,500,000.

Separating mails: For separating mails at third- and fourth-class post offices, \$450,000.

Unusual conditions: For unusual conditions at post offices, \$75,000.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, \$7,250,000.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$2,100,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$1,735,000.

Detroit River service: For Detroit River postal service, \$11,460.

Car fare and bicycle allowance: For car fare and bicycle allowance, including special-delivery car fare, \$1,300,000.

City delivery carriers: For pay of letter carriers, City Delivery Service, \$138,000,000.

Special-delivery fees: For fees to special-delivery messengers, \$8,000,000.

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, and not to exceed \$100,000 for Government-operated star-route service, \$11,000,000.

Star-route service, Alaska: For inland transportation by star routes in Alaska, \$207,245.

Power-boat service: For inland transportation by steamboat or other power-boat routes, including ship, steamboat, and way letters, \$1,200,000.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, \$107,900,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service: *Provided further*, That there may be expended from this appropriation for clerical and other assistance in the District of Columbia not exceeding the sum of \$60,922 to carry out the provisions of section 5 of the Act of July 28, 1916 (U. S. C., title 39, sec. 562) (the space basis Act), and not exceeding the sum of \$33,050 to carry out the provisions of section 214 of the Act of February 28, 1925 (U. S. C., title 39, sec. 826) (cost ascertainment).

Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one assistant superintendent in charge of car construction, one hundred and twenty-one chief clerks, one hundred and twenty-one assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, \$56,950,000.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, \$3,450,000.

Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$60,000.

Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, for the purchase or rental of arms and miscellaneous items necessary for the protection of the mails and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, \$450,000.

Electric- and cable-car service: For electric- and cable-car service, \$350,000.

Foreign mail transportation: For transportation of foreign mails by steamship, aircraft, or otherwise, \$14,241,360: *Provided*, That not to exceed \$9,417,360 of this sum may be expended for carrying foreign mail by aircraft under contracts which will not create obligations for the fiscal year 1939 in excess of \$10,408,000: *Provided further*, That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed \$170,000, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City.

Balances due foreign countries: For balances due foreign countries, fiscal year 1938 and prior years, \$1,000,000.

Contract Air Mail Service: For the inland transportation of mail by aircraft, and for personal services for examining and auditing the books, records, and accounts of air mail contractors, as author-

Power-boat service.

Railroad transportation and mail messenger service.  
*Provisions.*  
Separate accounting, messenger service.  
Services in the District.

39 Stat. 429; 43 Stat. 1069.  
39 U. S. C. §§ 562, 826.

Railway Mail Service.  
Division superintendents, etc.

Railway postal clerks, travel allowance.

Railway Mail Service, traveling expenses.

Miscellaneous expenses.

Arms, etc., for mail protection.

Terminal offices, rent.

Electric- and cable-car service.

Foreign mails.  
*Post*, p. 227.  
*Provisions.*  
Aircraft allowance; restriction.

Sea post service.

Assistant Director, International Postal Service.

Balances due foreign countries.

Contract Air Mail Service.



ized by law, and for the incidental expenses thereof, including not to exceed \$22,200 for supervisory officials and clerks at air-mail transfer points, and not to exceed \$46,460 for personal services in the District of Columbia and incidental and travel expenses, \$14,500,000, of which not less than \$1,400,000 shall be available for extensions, new routes, and increased frequency of schedules.

**Service improvements.** Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, \$15,000.

**Rural Delivery Service.** Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, \$92,500,000, of which not less than \$250,000 shall be available for extensions and new service.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

**Third Assistant Postmaster General.** Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelopes, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed \$22,300 for pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and for expenses of agency, \$4,450,000.

**Stamps, stamped paper, postal cards, etc.** Indemnities, lost, etc., domestic mail: For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, \$625,000.

**Unpaid money orders more than one year old.** Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, \$225,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

**Fourth Assistant Postmaster General.** Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelopes, and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (U. S. C., title 39, sec. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for the pur-

**Stationery, etc.**

**Postal Savings System, supplies.**

**Bond expenses.**  
36 Stat. 817.  
39 U. S. C. § 760.

**Miscellaneous equipment.**

**Letter boxes.**

**Postmarking, etc., stamps.**

**Furniture, etc., rented quarters.**

chase of arms and miscellaneous items necessary for the protection of the mails; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed \$1,500; for wrapping twine and tying devices; for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding \$55,000 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, accident prevention, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including not to exceed \$35,000 for salaries of thirteen traveling mechanics, and for traveling expenses, \$2,521,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added: *Provided further*, That no part of this appropriation shall be expended for the purchase of furniture and complete equipment for third-class post offices except miscellaneous equipment of the general character furnished such offices during the fiscal year 1931.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; accident prevention; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, \$1,450,000, of which not to exceed \$627,000 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding \$15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, and fuel: For rent, light, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, \$11,350,000.

Pneumatic-tube service: For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate not in excess of \$19,500 per mile of double line of tubes, including power, labor, and all other operating expenses, \$568,534.

For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, \$24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (U. S. C., title 39, sec. 423), and May 27, 1908 (U. S. C., title 39, sec. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

Post-route maps, etc.

Twine and tying devices.

Traveling mechanics.

*Proviso.*  
Sale of maps, etc.

Furniture, etc., third-class offices.

Equipment shops, material, etc.

Services in the District.

*Proviso.*  
Distinctive equipments for departments, Alaska, and island possessions.

Rent, light, and fuel.

Pneumatic-tube service, New York, etc.

Boston, Mass.

*Proviso.*  
Provisions applicable.  
32 Stat. 114; 35 Stat. 412.  
39 U. S. C. § 423.

## Vehicle service.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, maintenance, and repair of motor vehicles; accident prevention; the hire of supervisors, clerical assistance, mechanics, drivers, garage men, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, delivery, and supervision of the mail, \$15,250,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General, during the fiscal year 1938, may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

*Proviso.*  
Housing of Government-owned vehicles.

Tractors and trailer trucks.

Motor vehicle restriction.

Transportation of equipment and supplies.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$320,000.

## Public buildings.

## PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

## Operating force.

Operating force: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, \$17,975,740: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

*Proviso.*  
Pay rates, etc.

## Operating supplies.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, accident prevention, tools and appliances, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, \$5,075,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

*Proviso.*  
Personal services, restriction.

Contracts for telephone service.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, \$625,000: *Provided*, That, excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan of furniture or not.

Furniture and equipment.

*Proviso.* Personal restriction. services,

Use of present furniture.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed \$20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Scientific investigations.  
Transfer of sums to Bureau of Standards.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1938, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Deficiency in postal revenues.

This title may be cited as the Post Office Department Appropriation Act, 1938.

Short title.

SEC. 2. Appropriations for the fiscal year 1938 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Executive departments, etc.  
Amount for travel, etc.

*Proviso.* Transfer for convenience of officers.

SEC. 3. No appropriation available for the executive departments and independent establishments of the Government for the fiscal year ending June 30, 1938, whether contained in this Act or any other Act, shall be expended—

Restrictions on expenditures.

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of \$750, unless otherwise specifically provided for in the appropriation.

Cost limitation on automobiles.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

Maintenance, etc., automobiles not used for official purposes.  
"Official purposes" construed.

Limitations not applicable.

Maintenance, upkeep, etc., limitation.

Appointments after Senate rejection.

House of Representatives, majority floor leader's office.  
Pay for certain positions in.  
49 Stat. 1221.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motor-propelled passenger-carrying vehicle, except busses and ambulances, in excess of one-third of the market price of a new vehicle of the same make and class and in no case in excess of \$400.

SEC. 4. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate upon vote has failed to confirm the nomination of such person.

SEC. 5. The unobligated balances on the date of the approval of this Act of appropriations contained in the Legislative Branch Appropriation Act, 1937, for three positions in the office of the majority floor leader, House of Representatives, are hereby made available for four positions in such office at annual rates of compensation, respectively, as follows: Legislative clerk, \$3,110; clerk, \$2,530; and two assistant clerks, at \$1,800 each.

Approved, May 14, 1937.

[CHAPTER 181]

AN ACT

May 14, 1937  
[H. R. 26]  
[Public, No. 78]

To amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102).

Immigration Act of 1917, amendment.  
39 Stat. 892.  
8 U. S. C. § 102.

Removal at Government expense of certain aliens who apply for deportation.

Ineligibility for re-admission.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of section 23 of the Act of February 5, 1917, as reads as follows: "and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native land, at any time within three years after entry, at the expense of the appropriations for the enforcement of this Act", is amended to read as follows: "and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native country, or the country from whence they came, or to the country of which they are citizens or subjects, at any time after entry, at the expense of the appropriations for the enforcement of this Act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed, but any person thus removed shall forever be ineligible for readmission except upon the approval of the Secretary of State and the Secretary of Labor;"

Approved, May 14, 1937.

[CHAPTER 182]

AN ACT

May 14, 1937  
[H. R. 28]  
[Public, No. 79]

To authorize the deportation of aliens who secured preference-quota or non-quota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes.

Immigration Act of 1924, amendments.  
43 Stat. 158.  
8 U. S. C. § 209 (f).

Nonquota immigrants, restriction on entry.

Preference-quota immigrants.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subdivision (f) of section 9 of the Immigration Act of 1924, as amended (43 Stat. 158; U. S. C., title 8, sec. 209, subdivision (f)), is amended to read as follows:

"SEC. 9. (f) Nothing in this section shall be construed to entitle an immigrant, in respect of whom a petition under this section is granted, either to enter the United States as a nonquota immigrant if, upon arrival in the United States, he is found not to be a nonquota immigrant, or to enter the United States as a preference-quota immigrant if, upon arrival in the United States, he is found not to be a preference-quota immigrant."

SEC. 2. That subdivision (a) of section 13 of the Immigration Act of 1924, as amended (43 Stat. 161; U. S. C., title 8, sec. 213 (a)), is amended to read as follows:

"No immigrant shall be admitted to the United States unless he (1) has an unexpired immigration visa or was born subsequent to the issuance of the immigration visa of the accompanying parent; (2) is of the nationality specified in the visa in the immigration visa; (3) is a nonquota immigrant if specified in the visa in the immigration visa as such; (4) is a preference-quota immigrant if specified in the visa in the immigration visa as such; and (5) is otherwise admissible under the immigration laws."

SEC. 3. That any alien who at any time after entering the United States is found to have secured either non-quota or preference-quota visa through fraud, by contracting a marriage which, subsequent to entry into the United States, has been judicially annulled retroactively to date of marriage, shall be taken into custody and deported pursuant to the provisions of section 14 of the Immigration Act of 1924 on the ground that at time of entry he was not entitled to admission on the visa presented upon arrival in the United States. This section shall be effective whether entry was made before or after the enactment of this Act.

When it appears that the immigrant fails or refuses to fulfill his promises for a marital agreement made to procure his entry as an immigrant he then becomes immediately subject to deportation.

Approved, May 14, 1937.

Exclusion from the United States.  
43 Stat. 161.  
8 U. S. C. § 213a.

Immigrants excepted from.

Deportation of aliens for unlawful securing of visas through marriage.

43 Stat. 162.

Retroactive operation of section.

Breach of marital agreement.

#### [CHAPTER 183]

##### AN ACT

Declaring Scajaquada Creek, Erie County, New York, to be a non-navigable stream.

May 14, 1937

[H. R. 175]

[Public, No. 80]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Scajaquada Creek, Erie County, New York, is hereby declared to be non-navigable east of a line one hundred and thirty feet west of the west line of Niagara Street, city of Buffalo, county of Erie, New York, within the meaning of the Constitution and laws of the United States.

Scajaquada Creek.  
Declared non-navigable in Buffalo, N. Y.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 14, 1937.

#### [CHAPTER 184]

##### AN ACT

To extend the time for applying for and receiving benefits under the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935.

May 14, 1937

[H. R. 2306]

[Public, No. 81]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935, as heretofore amended by the Act approved June 4, 1936 (Public Law Numbered 645, Seventy-fourth Congress), is further amended to read as follows:

Emigration of Filipinos from the United States.  
49 Stat. 479, 1462.  
48 U. S. C., Supp. II, § 1256.

"SEC. 6. No application for the benefits of this Act shall be accepted by any officer of the Immigration Service after December 1, 1938; and all benefits under this Act shall finally terminate on December 31, 1938, unless the journey has been started on or before that date, in which case the journey to Manila shall be completed."

Time extended for filing application for benefits, etc.

Approved, May 14, 1937.

## [CHAPTER 185]

## AN ACT

May 14, 1937  
[H. R. 3306]  
[Public, No. 82]

To authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods.

Santa Maria River,  
Calif.  
Survey directed for  
controlling floods.

49 Stat. 1570.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Santa Maria River and its tributaries, in the State of California, and the Secretary of Agriculture be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made for run-off and water flow retardation and soil erosion prevention on the watershed of the said river, with a view to the control of its floods, in accordance with the provisions of the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

Approved, May 14, 1937.

## [CHAPTER 186]

## AN ACT

May 14, 1937  
[H. R. 3903]  
[Public, No. 83]

To authorize an appropriation for improvement of ammunition storage facilities at Camp Stanley, Texas, and Savanna Ordnance Depot, Savanna, Illinois.

Army ammunition  
storage facilities.  
Appropriation au-  
thorized for improve-  
ments at designated  
depots.  
*Post*, p. 452.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$2,378,836 for improvement of ammunition storage facilities as follows: Camp Stanley, Texas, \$1,014,286; and Savanna Ordnance Depot, Savanna, Illinois, \$1,364,550, including the necessary construction and installation of buildings, roads, railroads, and fences, utilities and appurtenances incident thereto, and including also the moving and reconditioning of Ordnance and Chemical Warfare Service stores, as may be necessary to provide safe and adequate storage for munitions.

Approved, May 14, 1937.

## [CHAPTER 187]

## AN ACT

May 14, 1937  
[H. R. 5332]  
[Public, No. 84]

Authorizing allotment of pay by civilian personnel stationed abroad.

Civilian personnel  
stationed abroad.  
Allotment of pay  
by, permitted.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the heads of the executive departments and establishments of the United States, under such regulations as they may prescribe, be, and are hereby, authorized to permit civilian officers and employees, during such time as they may be assigned for duty outside the continental limits of the United States, to make allotments, in whole or in part, from their pay, for the support of their families or relatives, for their own savings, or for other similar purposes.

Approved, May 14, 1937.

## [CHAPTER 193]

## AN ACT

To authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America.

May 15, 1937

[S. 1472]

[Public, No. 85]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is hereby authorized, in his discretion and under such regulations as he may promulgate, to sell to the National Council of the Boy Scouts of America such obsolete material as may not be needed by the War Department, and such other material as may be spared, at prices representing a fair value to the War Department, including the cost of packing, handling, and transportation.

Approved, May 15, 1937.

National Council,  
Boy Scouts of  
America.

Disposal of obsolete,  
etc., Army material  
to, authorized.

## [CHAPTER 194]

## AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

May 15, 1937

[S. 1571]

[Public, No. 86]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by changing the heading "Los Angeles and San Gabriel Rivers, California", to read "Los Angeles County Drainage Area, California", and changing the paragraph immediately following said heading to read as follows: "Construction of reservoirs and principal flood channels 'in Los Angeles and San Gabriel Rivers and Ballona Creek and tributaries thereof'", in accordance with plans to be approved by the Chief of Engineers on recommendation of the Board of Engineers for Rivers and Harbors at an estimated construction cost not to exceed \$70,000,000; estimated cost of lands and damages, \$5,000,000.

Approved, May 15, 1937.

Flood Control Act  
of 1936, amendment.  
Los Angeles and  
San Gabriel Rivers,  
Calif.

Flood control project  
extended.  
49 Stat. 1589.

Estimated costs.

## [CHAPTER 195]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebraska.

May 15, 1937

[H. R. 193]

[Public, No. 87]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Rulo, Nebraska, authorized to be built by John C. Mullen, John H. Hutchings, William Shepherd, their heirs, legal representatives, and assigns, by Act of Congress approved March 4, 1933, heretofore extended by Act of Congress approved August 23, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 15, 1937.

Missouri River.  
Time extended for  
bridging at Rulo,  
Nebr.

47 Stat. 1555; 49  
Stat. 728.

Amendment.



## [CHAPTER 196]

## AN ACT

May 15, 1937

[H. R. 2928]

[Public, No. 88]

To amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission.

Civil Service Commission.  
26 Stat. 235.  
5 U. S. C. § 443.

Applications for examinations.  
Certificate of residence to accompany.

Promotion or transfer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso of the second paragraph under the caption "Civil Service Commission" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes", approved July 11, 1890, as amended, is hereby amended to read as follows:

"Hereafter every application for examination before the Civil Service Commission for appointment in the departmental service in the District of Columbia shall be accompanied by a certificate of an officer, with his official seal attached, of the county and State of which the applicant claims to be a citizen, that such applicant was, at the time of making such application, a legal or voting resident of said county, and had been such resident for a period of not less than one year next preceding, but this provision shall not apply to persons who may be in the service with civil-service status and seek promotion or appointment in other branches of the Government."

Approved May 15, 1937.

## [CHAPTER 197]

## AN ACT

May 15, 1937

[H. R. 5179]

[Public, No. 89]

Granting the consent of Congress to the County Commissioners of Essex County, in the State of Massachusetts, to construct, reconstruct, maintain, and operate a free highway bridge across the Merrimack River between the city of Haverhill and the town of Groveland, Massachusetts.

Merrimack River.  
Essex County,  
Mass., may bridge,  
between Haverhill  
and Groveland.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the County Commissioners of Essex County, in the State of Massachusetts, and their successors and assigns, to construct, reconstruct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River between the city of Haverhill and the town of Groveland in the county of Essex, in the State of Massachusetts, at and near the location of the existing bridge known as the Groveland Bridge, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 15, 1937.

## [CHAPTER 198]

## AN ACT

May 15, 1937

[H. R. 5554]

[Public, No. 90]

To authorize the Secretary of War to lend War Department equipment for use at the 1937 National Encampment of Veterans of Foreign Wars to be held in Buffalo and Niagara Falls, New York, from August 29 to September 3, 1937.

Veterans of Foreign Wars.  
Loan of Army tents,  
etc., for encampment  
of, Buffalo and Ni-  
agara Falls, N. Y.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to lend, at his discretion, to the Veterans of Foreign Wars for use at their national encampment to be held in Buffalo and Niagara Falls, New York, from August 29 to September

3, 1937, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such department may require to house properly veterans attending such encampment: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such encampment as may be agreed upon by the Secretary of War and the Veterans of Foreign Wars: *Provided further*, That the Secretary of War, before delivering such property, shall take from such organization a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

*Provisos.*  
No Federal expense.

Bond.

Approved, May 15, 1937.

[CHAPTER 220]

AN ACT

To create the office of Counselor of the Department of State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be in the Department of State a Counselor of the Department of State, to be appointed by the President, by and with the advice and consent of the Senate, with a salary of \$10,000 per annum.

Approved, May 18, 1937.

May 18, 1937

[S. 2160]

[Public, No. 91]

Counselor of the  
Department of State.  
Office created; ap-  
pointment, salary.

[CHAPTER 221]

AN ACT

To provide for the establishment of a Coast Guard station on Lake Pontchartrain, Louisiana, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on Lake Pontchartrain, Louisiana, at the Port of New Orleans.

Approved, May 18, 1937.

May 18, 1937

[H. R. 2516]

[Public, No. 92]

Lake Pontchar-  
train, La.  
Establishment of  
Coast Guard station  
on, authorized.

[CHAPTER 222]

AN ACT

To provide for the establishment of a Coast Guard station at or near Pass-a-Grille Beach, Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Pass-a-Grille Beach, Florida, at such point as the Commandant of the Coast Guard may recommend.

Approved, May 18, 1937.

May 18, 1937

[H. R. 2800]

[Public, No. 93]

Pass-a-Grille Beach,  
Fla.  
Establishment of  
Coast Guard station  
authorized.

[CHAPTER 223]

AN ACT

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1938, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1938, namely:

May 18, 1937

[H. R. 5966]

[Public, No. 94]

Legislative Branch  
Appropriation Act,  
1938.

## Senate.

## SENATE

## Senators.

## SALARIES AND MILEAGE OF SENATORS

## Compensation.

For compensation of Senators, \$960,000.

## Mileage.

For mileage of the President of the Senate and of Senators, \$51,000.

## Officers, clerks, messengers, etc.

For compensation of officers, clerks, messengers, and others:

## Vice President's office.

## OFFICE OF THE VICE PRESIDENT

## Secretary to, and clerks.

Salaries: Secretary to the Vice President, \$4,620; clerk, \$2,400; assistant clerks—one \$2,280, one \$2,160; in all, \$11,460.

## CHAPLAIN

## Chaplain.

Chaplain of the Senate, \$1,680.

## Secretary's office.

## OFFICE OF THE SECRETARY

## Secretary, assistants, clerks, etc.

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,000 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,500; Parliamentarian, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; Journal Clerk, \$3,780; principal clerk, \$3,780; legislative clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; printing clerk, \$3,540; chief bookkeeper, \$3,600; librarian, \$3,360; assistant Journal Clerk, \$3,360; executive clerk, \$3,180; first assistant librarian, \$3,120; keeper of stationery, \$3,320; clerks—one at \$3,180, one at \$2,880 and \$300 additional so long as the position is held by the present incumbent, three at \$2,880 each, two at \$2,640 each, clerk in Disbursing Office, in lieu of position created by resolution of May 12, 1932, \$2,400, six at \$2,400 each, three at \$1,860 each, three at \$1,740 each; special officer, \$2,460; laborers—one at \$1,740, one at \$1,620, five at \$1,380 each, one in Secretary's office, \$1,680, one, \$1,560; in all, \$136,880.

## Document Room.

## DOCUMENT ROOM

Superintendent, etc.  
*Post*, p. 755.

Salaries: Superintendent, \$3,960; first assistant, \$2,640; second assistant, \$2,040; four assistants, at \$2,040 each; skilled laborer, \$1,380; in all, \$18,180.

## Committee employees.

## COMMITTEE EMPLOYEES

## Clerks and messengers.

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk \$4,800; assistant clerk, \$3,900; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,800; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant

clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks, at \$2,220 each. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Conference Minority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; additional clerk, \$1,800. Education and Labor—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Enrolled Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Expenditures in the Executive Departments—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Finance—clerk, \$4,200; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign Relations—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Library—clerk, \$3,900; two assistant clerks, at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Military Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks, at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Post Offices and Post Roads—clerk, \$3,900; assistant clerk, \$2,880; four assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Revision of the Laws—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Rules—clerk, \$3,900 and \$200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Territories and Insular Affairs—clerk, \$3,900; assistant clerk, \$2,580; two assistant clerks, at \$2,220 each; assistant clerk, \$2,000; additional clerk, \$1,800; in all, \$504,060.

Clerical assistants to Senators.

# CLERICAL ASSISTANTS TO SENATORS

Allowance to Senators not chairmen of specified committees.

Ex-officio committee clerks.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at \$3,900 each; seventy assistant clerks at \$2,400 each; and seventy assistant clerks at \$2,220 each; such clerks and assistant clerks shall be ex-officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all, \$724,200.

Office of Sergeant at Arms, etc.

## OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Sergeant at Arms and Doorkeeper, secretaries, etc.  
*Post*, p. 755.

Clerks, messengers, etc.

Laborers, etc.

Superintendent, press gallery.

Pages.

Police, Senate Office Building.

Post Office.

Postmaster, assistant, etc.

Folding Room.

Salaries.

Legislative Pay Act of 1929, amended.  
46 Stat. 32.  
2 U. S. C. § 60a.

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each; Deputy Sergeant at Arms and storekeeper, \$4,800; clerks—one \$3,000, one \$2,100, two, at \$2,000 each, one \$1,800, one to the secretary for the majority, \$1,800; one to the secretary of the minority, \$1,800, one \$1,500; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers), at \$2,400 each; thirty-one (including four for minority), at \$1,740 each; four, at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on journal work for Congressional Record to be selected by the Official Reporters, \$3,360; upholsterer and locksmith, \$2,400; cabinetmaker, \$2,040; three carpenters, at \$2,040 each; janitor, \$2,400; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,740; three female attendants in charge of ladies' retiring rooms, at \$1,500 each; three attendants to women's toilet rooms, Senate Office Building, at \$1,500 each; telephone operators—chief, \$2,460 and \$280 additional so long as the position is held by the present incumbent; fourteen, at \$1,560 each; laborer in charge of Senate toilet rooms in old library space, \$1,200; press gallery—superintendent, \$3,660; assistant superintendent, \$2,520; messengers for service to press correspondents—one, \$2,160; three at \$1,440 each; laborers—three, at \$1,380 each; thirty at \$1,260 each; three, at \$480 each; special employees—seven, at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$4 per day each, during the session, \$15,204; in all, \$261,104.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, \$1,740; special officer, \$1,740; thirty-one privates at \$1,620; in all, \$53,700.

## POST OFFICE

Salaries: Postmaster, \$3,600; assistant postmaster, \$2,880; chief clerk, \$2,460; wagon master, \$2,280; twenty-six mail carriers, at \$1,620 each; in all, \$53,340.

## FOLDING ROOM

Salaries: Foreman, \$2,460; assistant, \$2,160; clerk, \$1,740; folders—chief, \$2,040, fourteen at \$1,440 each; in all, \$28,560.

The provisions of the Legislative Pay Act of 1929 are hereby amended so as to correspond with the changes made by this Act in the designations and rates of salary of certain positions under the Senate.

## CONTINGENT EXPENSES OF THE SENATE

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$4,000.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$60,340.

For services in cleaning, repairing, and varnishing furniture, \$2,000.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$29,000.

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$18,000.

For materials for folding, \$1,500.

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, \$35,000: *Provided*, That said Committee on Rules is hereby authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the said restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$7,960.

For miscellaneous items, exclusive of labor, \$200,000.

For packing boxes, \$970.

Postage stamps: For office of Secretary, \$250; office of Sergeant at Arms, \$100; in all, \$350.

For the purchase of furniture, \$5,000.

For materials for furniture and repairs of same, exclusive of labor, \$3,000.

For stationery for Senators and for the President of the Senate, including \$7,500 for stationery for committees and officers of the Senate, \$19,500.

For rent of warehouse for storage of public documents, \$2,000.

For payment to Honorable John H. Overton, a Senator from the State of Louisiana, for expenses incurred, including counsel fees, in the contest resulting from the election held November 8, 1932, \$2,593.78.

Contingent expenses.

Automobile for Vice President.

Reporting debates.

Furniture; cleaning, repairing, etc.

Inquiries and investigations.

*Proviso.*  
Per diem and subsistence.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

Joint Committee on Internal Revenue Taxation; one-half expenses.  
*Post*, p. 177.  
Folding, etc.

Fuel, oil, advertising, etc.

Senate kitchens and restaurants.

*Proviso.*  
Increase in prices authorized.

Outside service.

Motor vehicles.

Miscellaneous items.  
Packing boxes.  
Postage stamps.

Furniture; purchase, etc.

Stationery.

Warehouse rent.

Honorable John H. Overton.  
Contested election expenses.

## HOUSE OF REPRESENTATIVES

## SALARIES AND MILEAGE OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Puerto Rico, \$4,385,000.

House of Representatives.

Members, etc.

Compensation.

*Brasil:*

JOSÉ CARLOS DE MACEDO SOARES,  
JOSÉ DE PAULA RODRIGUES ALVES,  
HELIO LOBO,  
HILDEBRANDO POMPEU PINTO ACCIOLY,  
EDMUNDO DA LUZ PINTO,  
ROBERTO CARNEIRO DE MENDONÇA,  
ROSALINA COELHO LISBOA DE MILLER,  
MARÍA LUIZA BITTENCOURT.

*Uruguay:*

PEDRO MANINI RÍOS,  
EUGENIO MARTÍNEZ THEDY,  
FELIPE FERREIRO,  
ABALCÁZAR GARCÍA,  
JULIO CÉSAR CERDEIRAS ALONSO,  
GERVASIO POSADAS BELGRANO.

*Guatemala:*

CARLOS SALAZAR,  
JOSÉ A. MEDRANO,  
ALFONSO CARRILLO.

*Nicaragua:*

LUIS MANUEL DEBAYLE,  
JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

*República Dominicana:*

MAX HENRÍQUEZ UREÑA,  
TULIO M. CESTERO,  
ENRIQUE JIMÉNEZ.

*Colombia:*

JORGE SOTO DEL CORRAL,  
MIGUEL LÓPEZ PUMAREJO,  
ROBERTO URDANETA ARBELÁEZ,  
ALBERTO LLERAS CAMARGO,  
JOSÉ IGNACIO DÍAZ GRANADOS.

*Panamá:*

HARMODIO ARIAS M.,  
JULIO J. FÁBREGA,  
EDUARDO CHIARI.

*Estados Unidos de América:*

CORDELL HULL,  
SUMNER WELLES,  
ALEXANDER W. WEDDELL,  
ADOLPH A. BERLE, Jr.,  
ALEXANDER F. WHITNEY,  
CHARLES G. FENWICK,  
MICHAEL FRANCIS DOYLE,  
ELISE F. MUSSER.

*Chile:*

MIGUEL CRUCHAGA TOCORNAL,  
LUIS BARROS BORGOÑO,  
FÉLIX NIETO DEL RÍO,  
RICARDO MONTANER BELLO.

*Ecuador:*

HUMBERTO ALBORNOZ,  
ANTONIO PONS,  
JOSÉ GABRIEL NAVARRO,  
FRANCISCO GUARDERAS.

*Bolivia:*

ENRIQUE FINOT,  
DAVID ALVÉSTEGUI,  
CARLOS ROMERO.

*Haiti:*

H. PAULEUS SANNON,  
CAMILLE J. LEÓN,  
ELIE LESCOT,  
EDMÉ MANIGAT,  
PIERRE EUGÈNE DE LESPINASSE,  
CLÉMENT MAGLOIRE.

*Cuba:*

JOSÉ MANUEL CORTINA,  
RAMÓN ZAYDÍN,  
CARLOS MÁRQUEZ STERLING,  
RAFAEL SANTOS JIMÉNEZ,  
CÉSAR SALAYA,  
CALIXTO WHITMARSH,  
JOSÉ MANUEL CARBONELL.



### CONVENTION EN VUE D'ENCOURAGER LES RELATIONS CULTURELLES INTERAMÉRICAINES

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Considérant que l'on approcherait du but dans lequel fut convoquée la Conférence, moyennant une plus grande connaissance et compréhension des peuples et des institutions des pays représentés ainsi qu'une plus étroite solidarité d'éducation sur le continent américain; que la poursuite de ce but serait facilitée d'une manière appréciable par l'échange de professeurs, d'instituteurs et d'étudiants entre les pays américains, et par la stimulation de relations plus étroites entre les organismes sans caractère officiel qui contribuent à modeler l'opinion publique,

Ont décidé de conclure une convention dans ce but, et ont désigné les Plénipotentiaires suivants:

#### *Argentine:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO.  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO.  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

#### *Paraguay:*

MIGUEL ANGEL SOLER,  
J. ISIDRO RAMÍREZ.

#### *Honduras:*

ANTONIO BERMÚDEZ M.,  
JULIÁN LÓPEZ PINEDA.

#### *Costa Rica:*

MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

#### *Vénézuëla:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZÉREGA FOMBONA.

#### *Pérou:*

CARLOS CONCHA,  
ALBERTO ULLOA,  
FELIPE BARREDA LAOS,  
DIÓMEDES ARIAS SCHREIBER.

*Le Salvador:*

MANUEL CASTRO RAMÍREZ,  
MAXIMILIANO PATRICIO BRANNON.

*Mexique:*

FRANCISCO CASTILLO NÁJERA,  
ALFONSO REYES,  
RAMÓN BETETA,  
JUAN MANUEL ALVAREZ DEL CASTILLO.

*Brésil:*

JOSÉ CARLOS DE MACEDO SOARES,  
OSWALDO ARANHA,  
JOSÉ DE PAULA RODRIGUES ALVES,  
HELIO LOBO,  
HILDEBRANDO POMPEU PINTO ACCIOLY,  
EDMUNDO DA LUZ PINTO,  
ROBERTO CARNEIRO DE MENDONÇA,  
ROSALINA COELHO LISBOA DE MILLER,  
MARÍA LUIZA BITTENCOURT.

*Uruguay:*

JOSÉ ESPALTER,  
PEDRO MANINI RÍOS,  
EUGENIO MARTÍNEZ THEDY,  
JUAN ANTONIO BUERO,  
FELIPE FERREIRO,  
ANDRÉS F. PUYOL,  
ABALCÁZAR GARCÍA,  
JOSÉ G. ANTUÑA,  
JULIO CÉSAR CERDEIRAS ALONSO,  
GERVASIO POSADAS BELGRANO.

*Guatémala:*

CARLOS SALAZAR,  
JOSÉ A. MEDRANO,  
ALFONSO CARRILLO.

*Nicaragua:*

LUIS MANUEL DEBAYLE,  
JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

*République Dominicaine:*

MAX HENRÍQUEZ UREÑA,  
TULIO M. CESTERO,  
ENRIQUE JIMÉNEZ.

*Colombie:*

JORGE SOTO DEL CORRAL,  
MIGUEL LÓPEZ PUMAKEJO,  
ROBERTO URDANETA ARBELÁEZ,  
ALBERTO LLERAS CAMARGO,  
JOSÉ IGNACIO DÍAZ GRANADOS.

*Panama:*

HARMODIO ARIAS M.,  
JULIO J. FÁBREGA,  
EDUARDO CHIARI.

*Etats-Unis d'Amérique:*

CORDELL HULL,  
 SUMNER WELLES,  
 ALEXANDER W. WEDDELL,  
 ADOLPH A. BERLE, Jr.,  
 ALEXANDER F. WHITNEY,  
 CHARLES G. FENWICK,  
 MICHAEL FRANCIS DOYLE,  
 ELISE F. MUSSER.

*Chili:*

MIGUEL CRUCHAGA TOCORNAL,  
 LUIS BARROS BORGOÑO,  
 FÉLIX NIETO DEL RÍO,  
 RICARDO MONTANER BELLO.

*Equateur:*

HUMBERTO ALBORNOZ,  
 ANTONIO PONS,  
 JOSÉ GABRIEL NAVARRO,  
 FRANCISCO GUARDERAS,  
 EDUARDO SALAZAR GÓMEZ.

*Bolivie:*

DAVID ALVÉSTEGUI,  
 ENRIQUE FINOT,  
 EDUARDO DíEZ DE MEDINA.  
 ALBERTO OSTRIA GUTIÉRREZ,  
 CARLOS ROMERO,  
 ALBERTO CORTADELLAS,  
 JAVIER PAZ CAMPERO.

*Haiti:*

H. PAULEUS SANNON,  
 CAMILLE J. LEÓN,  
 ELIE LESCOT,  
 EDMÉ MANIGAT,  
 PIERRE EUGÈNE DE LESPINASSE,  
 CLÉMENT MAGLOIRE.

*Cuba:*

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 RAMÓN ZAYDIN,  
 CARLOS MÁRQUEZ STERLING,  
 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Tous les ans, chaque Gouvernement concèdera à deux étudiants diplômés ou instituteurs de chacun des autres pays, désignés conformément au procédé établi par l'article II de la présente Convention, une bourse pour l'année scolaire suivante. Les bourses seront accordées après que les deux Gouvernements intéressés aient échangé les listes visées à l'article II de la présente Convention. Chaque bourse donnera droit à la matricule, au subside et à la pension dans une institution d'enseignement supérieur désignée par le pays qui concède la bourse, par l'intermédiaire de l'organe qu'il considérera approprié et, dans la mesure du possible, en coopération avec le

bénéficiaire. Les frais de voyage (aller et retour) au pays où se trouvera l'institution désignée et tous autres frais, seront à la charge du bénéficiaire ou du Gouvernement qui l'aura désigné. Chaque Gouvernement convient d'encourager, par des moyens appropriés, l'échange d'étudiants et d'instituteurs pendant les périodes normales de vacances, entre les institutions de son propre territoire et celles des autres pays contractants.

Article II.—Chaque Gouvernement aura la faculté de préparer et de remettre à chacun des autres Gouvernements, au plus tard à la date établie par le tableau final de cet article, une liste de cinq étudiants diplômés ou d'instituteurs, ainsi que les renseignements concernant leurs personnes, qu'il jugera nécessaires. Ces derniers choisiront deux noms sur ladite liste. Les mêmes étudiants ne pourront pas être désignés pendant plus de deux ans consécutifs, et, sauf dans les cas exceptionnels, pour plus d'un an. Aucun pays ne sera obligé de prendre en considération la liste d'un autre pays si elle n'a pas été établie et présentée antérieurement à la date fixée à la fin du présent article, et les bourses pour lesquelles n'aurait pas été présentée une liste antérieurement à la date établie, pourront être concédées aux personnes indiquées sur les listes de n'importe quel autre pays, qui n'aurait pas eu de bourse.

Sauf dans le cas où les pays intéressés en conviendraient autrement, les dates suivantes régiront: pays de l'Amérique du Sud: 30 Novembre; autres pays: 31 Mars.

Article III.—Si pour n'importe quel motif il était nécessaire de rapatrier un étudiant, le Gouvernement qui accorde la bourse pourrait effectuer le rapatriement pour compte du Gouvernement qui avait désigné l'étudiant.

Article IV.—Chacune des Hautes Parties Contractantes enverra aux autres, par la voie diplomatique, le premier Janvier, tous les deux ans, une liste complète des professeurs reconnus des principales universités, institutions scientifiques et écoles techniques de chaque pays, qui puissent être désignés pour un échange de services. Chacune des Hautes Parties Contractantes disposera qu'il soit choisi sur ladite liste un professeur visiteur qui dictera des conférences dans divers centres, ou expliquera des cours réguliers d'études ou fera des investigations spéciales à l'institution que l'on désignera, et de toute autre façon appropriée, encouragera la bonne entente entre les Parties qui coopèrent; il doit être entendu cependant, que l'on donnera la préférence à l'oeuvre d'enseignement plutôt qu'à celle d'investigation. Le Gouvernement qui envoie le professeur visiteur paiera ses frais de voyage (aller et retour) jusqu'à la ville où il résidera ainsi que les frais d'entretien et de voyages locaux pendant que le professeur remplira les fonctions pour lesquelles il a été désigné. Le traitement des professeurs sera payé par le pays qui les enverra.

Article V.—Les Hautes Parties Contractantes conviennent que chaque Gouvernement désignera ou créera un organe approprié, ou désignera un fonctionnaire spécial qui aura la responsabilité de mettre en pratique, de la façon la plus efficace possible, les obligations assumées par ce Gouvernement, en vertu de cette Convention.

Article VI.—Rien dans cette Convention ne sera interprété par les Hautes Parties Contractantes comme une obligation pour aucune d'entre elles de porter atteinte à l'indépendance de ses institutions pédagogiques ou à sa liberté académique et administrative.

Article VII.—Dans chacun des pays contractants et par l'intermédiaire de l'organe que l'on jugera approprié, on établira des règlements relatifs aux détails qui seraient jugés nécessaires, et, avec l'anticipation voulue, on fournira des copies de ces règlements par la voie diplomatique, aux Gouvernements des autres Hautes Parties Contractantes.

Article VIII.—La présente Convention n'affecte pas les engagements contractés antérieurement par les Hautes Parties Contractantes, en vertu d'accords internationaux.

Article IX.—La présente Convention sera ratifiée par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine conservera les originaux de la présente Convention et est chargé d'en envoyer des copies certifiées authentiques aux Gouvernements. Les instruments de ratification seront déposés aux archives de l'Union Panaméricaine, à Washington, qui fera part de ce dépôt aux Gouvernements signataires; cette notification équivaldra à l'échange des ratifications.

Article X.—La présente Convention entrera en vigueur entre les Hautes Parties Contractantes suivant l'ordre où elles déposeront leurs respectives ratifications.

Article XI.—La présente Convention restera indéfiniment la vigueur, mais pourra être dénoncée moyennant un préavis d'un an à l'Union Panaméricaine qui le transmettra aux autres Gouvernements signataires.

Une fois ce délai écoulé, les effets de la Convention cesseront en ce qui concerne le dénonciateur et elle restera en vigueur pour les autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires indiqués ci-après, signent et scellent la présente Convention, en espagnol, en anglais, en portugais et en français, dans la ville de Buenos Aires, Capitale de la République Argentine, ce 23 Décembre 1936.

*Argentine:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO.  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO.  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

*Paraguay:*

MIGUEL ANGEL SOLER,  
J. ISIDRO RAMÍREZ.

*Honduras:*

ANTONIO BERMÚDEZ M.,  
JULIÁN LÓPEZ PINEDA.

*Costa Rica:*

MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

*Vénézuëla:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZÉREGA FOMBONA.

*Pérou:*

CARLOS CONCHA,  
ALBERTO ULLOA,  
FELIPE BARREDA LAOS,  
DIÓMEDES ARIAS SCHREIBER.

*Le Salvador:*

MANUEL CASTRO RAMÍREZ,  
MAXIMILIANO PATRICIO BRANNON.

*Mexique:*

FRANCISCO CASTILLO NÁJERA,  
ALFONSO REYES,  
RAMÓN BETETA,  
JUAN MANUEL ÁLVAREZ DEL CASTILLO.

*Brésil:*

JOSÉ CARLOS DE MACEDO SOARES,  
JOSÉ DE PAULA RODRIGUES ALVES,  
HELIO LOBO,  
HILDEBRANDO POMPEU PINTO ACCIOLY,  
EDMUNDO DA LUZ PINTO,  
ROBERTO CARNEIRO DE MENDONÇA,  
ROSALINA COELHO LISBOA DE MILLER,  
MARÍA LUIZA BITTENCOURT.

*Uruguay:*

PEDRO MANINI RÍOS,  
EUGENIO MARTÍNEZ THEDY,  
FELIPE FERREIRO,  
ABALCÁZAR GARCÍA,  
JULIO CÉSAR CERDEIRAS ALONSO,  
GERVASIO POSADAS BELGRANO.

*Guatémala:*

CARLOS SALAZAR,  
JOSÉ A. MEDRANO,  
ALFONSO CARRILLO.

*Nicaragua:*

LUIS MANUEL DEBAYLE,  
JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

*République Dominicaine:*

MAX HENRIQUEZ UREÑA,  
TULIO M. CESTERO,  
ENRIQUE JIMÉNEZ.

*Colombie:*

JORGE SOTO DEL CORRAL,  
MIGUEL LÓPEZ PUMAREJO,  
ROBERTO URDANETA ARBELÁEZ,  
ALBERTO LLERAS CAMARGO,  
JOSÉ IGNACIO DÍAZ GRANADOS.

*Panama:*

HARMODIO ARIAS M.,  
JULIO FÁBREGA,  
EDUARDO CHIARI.

*Etats-Unis d'Amérique:*

CORDELL HULL,  
SUMNER WELLES,  
ALEXANDER W. WEDDELL,  
ADOLF A. BERLE, JR.,  
ALEXANDER F. WHITNEY,  
CHARLES G. FENWICK,  
MICHAEL FRANCIS DOYLE,  
ELISE F. MUSSER.

*Chili:*

MIGUEL CRUCHAGA TOCORNAL,  
 LUIS BARROS BORGOÑO,  
 FÉLIX NIETO DEL RÍO,  
 RICARDO MONTANER BELLO.

*Equateur:*

HUMBERTO ALBORNOZ,  
 ANTONIO PONS,  
 JOSÉ GABRIEL NAVARRO,  
 FRANCISCO GUARDERAS.

*Bolivie:*

ENRIQUE FINOT,  
 DAVID ALVÉSTEGUI,  
 CARLOS ROMERO.

*Haïti:*

H. PAULEUS SANNON,  
 CAMILLE J. LEÓN,  
 ELIE LESCOT,  
 EDMÉ MANIGAT,  
 PIERRE EUGÈNE DE LESPINASSE,  
 CLÉMENT MAGLOIRE.

*Cuba:*

JOSÉ MANUEL CORTINA,  
 RAMÓN ZAYDIN,  
 CARLOS MÁRQUEZ STERLING,  
 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

Ratification.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of September in the year of our Lord one thousand nine hundred and thirty-  
 [SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

December 23, 1936  
[T. S. No. 929]

*Convention between the United States of America and other American Republics concerning artistic exhibitions. Signed at Buenos Aires, December 23, 1936; ratification advised by the Senate, June 29, 1937; ratified by the President, July 15, 1937; ratification of the United States of America deposited with the Pan American Union at Washington, July 29, 1937; proclaimed, September 16, 1937.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Inter-American  
convention concern-  
ing artistic exhibi-  
tions.  
Preamble.

Texts.

WHEREAS a Convention Concerning Artistic Exhibitions was signed at Buenos Aires on December 23, 1936, by the respective plenipotentiaries of the United States of America and the twenty other American Republics represented at the Inter-American Conference for the Maintenance of Peace, a true copy of which Convention, in the English, Spanish, Portuguese and French languages, is word for word as follows: <sup>1</sup>

### CONVENTION CONCERNING ARTISTIC EXHIBITIONS

The Governments represented at the Inter-American Conference for the Maintenance of Peace;

Purpose.

Desirous of improving their spiritual relationships through a better acquaintance with their respective artistic creations, have resolved to conclude a Convention relative to the exhibition of artistic productions, and to this effect have named the following plenipotentiaries:

Plenipotentiaries.

#### *Argentina:*

CARLOS SAAVEDRA LAMAS,  
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MIGUEL ANGEL SOLER,  
J. ISIDRO RAMÍREZ.

#### *Honduras:*

ANTONIO BERMÚDEZ M.,  
JULIÁN LÓPEZ PINEDA.

#### *Costa Rica:*

MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

<sup>1</sup> The texts follow literally the certified copy of the convention furnished by the Argentine Government.—The editor.



*Venezuela:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZÉREGA FOMBONA.

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CALIXTO WHITMARSH,  
JOSÉ MANUEL CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows.

Article I.—Each of the High Contracting Parties agrees to grant, so far as its legislation may permit, all possible facilities for the holding within its territory of artistic exhibitions of each of the other Parties.

Facilities for holding artistic exhibitions.

Article II.—The facilities referred to in Article I shall be granted to Government agencies and to private enterprises which are officially authorized by them and shall be extended, as far as possible, to customhouse formalities and requirements, to transport on communication lines belonging to the respective States, to rooms for exhibition or storage, and to other matters related to the object referred to.

Grant of, to Government agencies, etc.

Article III.—The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Previously entered obligations not affected.

Article IV.—The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Ratification.

Deposit of original.

Deposit of instruments of ratification.

Article V.—The present Convention will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Effective date.

Article VI.—The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.

Duration.

Denunciation.

Article VII.—The present Convention shall be open for the adherence and accession of States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union, which shall communicate them to the other High Contracting Parties.

Adherence and accession.

In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Signatures.

*Argentina:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
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EDMUNDO DA LUZ PINTO,  
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CALIXTO WHITMARSH,  
JOSÉ MANUEL CARBONELL.

**CONVENCION SOBRE FACILIDADES A EXPOSICIONES ARTISTICAS**

Los Gobiernos representados en la Conferencia Interamericana de Consolidación de la Paz,

Deseosos de fomentar sus vinculaciones espirituales mediante el mejor conocimiento recíproco de sus respectivas producciones de arte, han resuelto celebrar una Convención relativa a la exposición de producciones artísticas y, con tal fin, han nombrado los siguientes Plenipotenciarios:

*Argentina:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO,  
DANIEL ANTOKOLETZ,  
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ALFONSO REYES,  
RAMÓN BETETA,  
JUAN MANUEL ALVAREZ DEL CASTILLO.

*Brasil*

JOSÉ CARLOS DE MACEDO SOARES,  
OSWALDO ARANHA,  
JOSÉ DE PAULA RODRÍGUES ALVES,  
HELIO LOBO,  
HILDEBRANDO POMPEU PINTO ACCIOLY,  
EDMUNDO DA LUZ PINTO,  
ROBERTO CARNEIRO DE MENDONÇA,  
ROSALINA COELHO LISBOA DE MILLER,  
MARÍA LUIZA BITTENCOURT.

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ANDRÉS F. PUYOL,  
ABALCÁZAR GARCÍA,  
JOSÉ G. ANTUÑA,  
JULIO CÉSAR CERDEIRAS ALONSO,  
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JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

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 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

Quienes, después de haber exhibido sus Plenos Poderes que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo 1º—Cada una de las Altas Partes Contratantes se compromete a otorgar, dentro de lo que su legislación permita, todas las facilidades posibles para que se verifiquen en su territorio, exposiciones artísticas de cada una de las otras Partes.

Art. 2º—Las facilidades a que se refiere el artículo 1º pueden acordarse a las iniciativas de los Gobiernos y a las privadas auspiciadas oficialmente por ellos, y se extenderán, en lo posible, a formalidades y requisitos de carácter aduanero, de transporte por las vías de comunicación de propiedad de los respectivos Estados, de locales para exhibición o depósito y otras materias relacionadas con el enunciado objeto.

Art. 3º—La presente Convención no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de acuerdos internacionales.

Art. 4º—La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Argentina guardará los originales de la presente Convención, y queda encargado de enviar copias certificadas auténticas a los Gobiernos



para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Wáshington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

Art. 5º—La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

Art. 6º—La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que lo transmitirá a los demás Gobiernos signatarios.

Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

Art. 7º—La presente Convención quedará abierta a la adhesión y accesoión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los archivos de la Unión Panamericana, que los comunicará a las otras Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios arriba mencionados, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Buenos Aires, Capital de la República Argentina, a los veintitrés días del mes de diciembre del año mil novecientos treinta y seis.

*Argentina:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ÁNGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
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 EDMUNDO DA LUZ PINTO,  
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 MARÍA LUIZA BITTENCOURT.

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JOSÉ MANUEL CARBONELL.

# CONVENÇÃO SOBRE FACILIDADES PARA EXPOSIÇÕES ARTÍSTICAS

Os Governos representados na Conferencia Interamericana de Consolidação da Paz. No desejo de promover as suas vinculações espirituales mediante o melhor conhecimento reciproco de suas respectivas produções artisticas, resolveram celebrar um Tratado relativo á exposição de produções de arte e, com tal fim, nomearam os seguintes Plenipotenciarios:

## *Argentina:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO,  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

## *Paraguay:*

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## *Honduras:*

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ALFONSO CARRILLO.

*Nicaragua:*

LUIS MANUEL DEBAYLE,  
JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

*República Dominicana:*

MAX HENRÍQUEZ UREÑA,  
TULIO M. CESTERO,  
ENRIQUE JIMÉNEZ.

*Colombia:*

JORGE SOTO DEL CORRAL,  
MIGUEL LÓPEZ PUMAREJO,  
ROBERTO URDANETA ARBELÁEZ,  
ALBERTO LLERAS CAMARGO,  
JOSÉ IGNACIO DÍAZ GRANADOS.

*Panamá:*

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JULIO FÁBREGA,  
EDUARDO CHIARI.

*Estados Unidos de América:*

CORDELL HULL,  
SUMNER WELLS,  
ALEXANDER W. WEDDELL,  
ADOLF A. BERLE, Jr.,  
ALEXANDER F. WHITNEY,  
CHARLES G. FENWICK,  
MICHAEL FRANCIS DOYLE,  
ELISE F. MUSSER.

*Chile:*

MIGUEL CRUCHAGA TOCORNAL,  
 LUIS BARROS BORGOÑO,  
 FÉLIX NIETO DEL RÍO,  
 RICARDO MONTANER BELLO.

*Ecuador:*

HUMBERTO ALBORNOZ,  
 ANTONIO PONS,  
 JOSÉ GABRIEL NAVARRO,  
 FRANCISCO GUARDERAS,  
 EDUARDO SALAZAR GÓMEZ.

*Bolivia:*

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 DAVID ALVÉSTEGUI,  
 EDUARDO DIEZ DE MEDINA,  
 ALBERTO OSTRIA GUTIÉRREZ,  
 CARLOS ROMERO,  
 ALBERTO CORTADELLAS,  
 JAVIER PAZ CAMPERO.

*Haiti:*

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 CAMILLE J. LEON,  
 ELIE LESCOT,  
 EDMÉ MANIGAT,  
 PIERRE EUGÈNE DE LESPINASSE,  
 CLEMENT MAGLOIRE.

*Cuba:*

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 RAMÓN ZAYDÍN,  
 CARLOS MÁRQUEZ STERLING,  
 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

Os quaes, depois de terem exhibido as suas credenciaes, que foram achadas em boa e devida forma, convieram no seguinte:

Artigo I.—Cada uma das Altas Partes Contractantes se compromette a outorgar, na medida que a sua legislação o permitir, todas as facilidades possiveis para se realizarem no seu territorio, exposições artisticas de cada uma das outras Partes.

Artigo II.—As facilidades a que se refere o Art. I podem ser accordadas ás iniciativas dos Governos e ás iniciativas privadas por elles officialmente amparadas e estender-se-ão, na medida do possivel, a formalidades e requisitos de character alfandegario, de transporte pelas vias de communicacão de propriedade dos respectivos Estados, de logares para exhibição ou deposito e outros assumptos relacionados com o objectivo visado.

Artigo III.—A presente Convenção não affecta os compromissos contrahidos anteriormente pelas Altas Partes Contractantes, em virtude do accórdos internacionaes.

Artigo IV.—A presente Convenção será ratificada pelas Altas Partes Contractantes, de accórdo com os seus preceitos constitucionaes. O Ministerio de Relações Exteriores da Republica Argentina conservará os originaes desta Convenção, e fica encarregado de enviar aos Governos copias authenticadas, para o referido fim. Os instrumentos

de ratificação serão depositados nos archivos da União Panamericana, em Washington, que comunicará tal depósito aos Governos signatarios; essa comunicação terá o valor de troca de ratificações.

Artigo V.—A presente Convenção entrará em vigor entre as Altas Partes Contractantes na ordem em que estas forem depositando as suas respectivas ratificações.

Artigo VI.—A presente Convenção vigorará indefinidamente, podendo porém, ser denunciada, mediante aviso anticipado de um anno, á União Panamericana, que o transmittirá aos demais Governos signatarios.

Decorrido este prazo, a Convenção deixará de producir effeito para o Estado denunciante, subsistindo para as demais Partes Contractantes.

Artigo VII.—A presente Convenção ficará aberta á adhesão e accessão dos Estados não signatarios. Os instrumentos correspondentes serão depositados nos Archivos da União Panamericana, que os comunicará ás outras Altas Partes Contractantes.

En testimonio do que, os Plenipotenciarios acima mencionados assignam e appõem os respectvios sellos na presente Convenção em espanhol, inglez, portuguez, e francez, na cidade de Buenos Aires, Capital da Republica Argentina, aos vinte e tres días do mez de dezembro do anno de mil novecentos e trinta e seis.

*Argentina:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO,  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

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MIGUEL ANGEL SOLER,  
J. ISIDRO RAMÍREZ.

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JULIÁN LÓPEZ PINEDA.

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MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

*Venezuela:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZEREGA FOMBONA.

*Perú:*

CARLOS CONCHA,  
ALBERTO ULLOA,  
FELIPE BARREDA LAOS,  
DIÓMEDES ARIAS SCHREIBER.

*El Salvador:*

MANUEL CASTRO RAMÍREZ,  
MAXIMILIANO PATRICIO BRANNON.

*México:*

FRANCISCO CASTILLO NÁJERA,  
 ALFOSO REYES,  
 RAMÓN BETETA,  
 JUAN MANUEL ALVAREZ DEL CASTILLO.

*Brasil:*

JOSÉ CARLOS DE MACEDO SOARES,  
 JOSÉ DE PAULA RODRIGUES ALVES,  
 HELIO LOBO,  
 HILDEBRANDO POMPEU PINTO ACCIOLY,  
 EDMUNDO DA LUZ PINTO,  
 ROBERTO CARNEIRO DE MENDONÇA,  
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 MARIA LUIZA BITTENCOURT.

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 EUGENIO MARTÍNEZ THEDY,  
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 ABALCÁZAR GARCÍA,  
 JULIO CÉSAR CERDEIRAS,  
 GERVASIO POSADAS BELGRANO.

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 JOSÉ A. MEDRANO,  
 ALFONSO CARRILLO.

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 JOSÉ IGNACIO DÍAZ GRANADOS.

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 CHARLES G. FENWICK,  
 MICHAEL FRANCIS DOYLE,  
 ELISE F. MUSSER.



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DAVID ALVÉSTEGUI,  
CARLOS ROMERO,

*Haïti:*

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ELIE LESCOT,  
EDMÉ MANIGAT,  
PIERRE EUGÈNE DE LESPINASSE,  
CLEMENT MAGLOIRE.

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CARLOS MÁRQUEZ STERLING,  
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CÉSAR SALAYA,  
CALIXTO WHITMARSH,  
JOSÉ MANUEL CARBONELL.

# CONVENTION EN VUE D'ACORDER DES FACILITES AUX EXPOSITIONS ARTISTIQUES

Les Gouvernements représentés à la Conférence Interaméricaine pour le Maintien de la Paix,

Désireux de resserrer leurs liens spirituels par la plus complète connaissance réciproque de leurs respectives productions artistiques ont décidé de conclure une Convention relative à l'exposition des oeuvres d'art et, dans ce but, ont désigné les Plénipotentiaires suivants:

## *Argentine:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO.  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO.  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

## *Paraguay:*

MIGUEL ANGEL SOLER,  
J. ISIDRO RAMÍREZ.

## *Honduras:*

ANTONIO BERMÚDEZ M.,  
JULIÁN LÓPEZ PINEDA.

## *Costa Rica:*

MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

## *Vénézuéla:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZÉREGA FOMBONA.

## *Pérou:*

CARLOS CONCHA,  
ALBERTO ULLOA,  
FELIPE BARREDA LAOS,  
DIÓMEDES ARIAS SCHREIBER.

## *Le Salvador:*

MANUEL CASTRO RAMÍREZ,  
MAXIMILIANO PATRICIO BRANNON.

## *Mexique:*

FRANCISCO CASTILLO NÁJERA,  
ALFONSO REYES,  
RAMÓN BETETA,  
JUAN MANUEL ALVAREZ DEL CASTILLO.

*Brésil:*

JOSÉ CARLOS DE MACEDO SOARES,  
OSWALDO ARANHA,  
JOSÉ DE PAULA RODRÍGUES ALVES,  
HELIO LOBO,  
HILDEBRANDO POMPEU PINTO ACCIOLY,  
EDMUNDO DA LUZ PINTO,  
ROBERTO CARNEIRO DE MENDONÇA,  
ROSALINA COELHO LISBOA DE MILLER,  
MARÍA LUIZA BITTENCOURT.

*Uruguay:*

JOSÉ ESPALTER,  
PEDRO MANINI RÍOS,  
EUGENIO MARTÍNEZ THEDY,  
JUAN ANTONIO BUERO,  
FELIPE FERREIRO,  
ANDRÉS F. PUYOL,  
ABALCÁZAR GARCÍA,  
JOSÉ G. ANTUÑA,  
JULIO CÉSAR CERDEIRAS ALONSO,  
GERVASIO POSADAS BELGRANO.

*Guatemala:*

CARLOS SALAZAR,  
JOSÉ A. MEDRANO,  
ALFONSO CARRILLO.

*Nicaragua:*

LUIS MANUEL DEBAYLE,  
JOSÉ MARÍA MONCADA,  
MODESTO VALLE.

*République Dominicaine:*

MAX HENRÍQUEZ UREÑA,  
TULIO M. CESTERO,  
ENRIQUE JIMÉNEZ.

*Colombie:*

JORGE SOTO DEL CORRAL,  
MIGUEL LÓPEZ PUMAREJO,  
ROBERTO URDANETA ARBELÁEZ,  
ALBERTO LLERAS CAMARGO,  
JOSÉ IGNACIO DÍAZ GRANADOS.

*Panama:*

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JULIO J. FÁBREGA,  
EDUARDO CHIARI.

*Etats-Unis d'Amérique:*

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ADOLF A. BERLE, Jr.,  
ALEXANDER F. WHITNEY,  
CHARLES G. FENWICK,  
MICHAEL FRANCIS DOYLE,  
ELISE F. MUSSER.

*Chili:*

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 LUIS BARROS BORGOÑO,  
 FÉLIX NIETO DEL RÍO,  
 RICARDO MONTANER BELLO.

*Equateur:*

HUMBERTO ALBORNOZ,  
 ANTONIO PONS,  
 JOSÉ GABRIEL NAVARRO,  
 FRANCISCO GUARDERAS,  
 EDUARDO SALAZAR GÓMEZ.

*Bolivie:*

ENRIQUE FINOT,  
 DAVID ALVÉSTEGUI,  
 EDUARDO Díez DE MEDINA.  
 ALBERTO OSTRIA GUTIÉRREZ,  
 CARLOS ROMERO,  
 ALBERTO CORTADELLAS,  
 JAVIER PAZ CAMPERO.

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 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

Lesquels, après avoir déposé leurs Pleins Pouvoirs, trouvés en bonne et due forme, ont convenu ce qui suit:

Article I.—Chacune des Hautes Parties Contractantes s'engage à octroyer, dans la limite où sa législation le permettra, toutes les facilités possibles à la réalisation sur son territoire d'expositions artistiques de chacune des autres Parties.

Article II.—Les facilités dont il est question à l'article premier peuvent être accordées aux initiatives des Gouvernements et aux initiatives privées auxquelles ils accordent leur protection officielle, et s'étendront, dans la mesure du possible, aux formalités et règles douanières, au transport par les voies de communication appartenant aux Etats respectifs, aux locaux pour l'exposition ou le dépôt et autres questions en rapport avec l'objet énoncé.

Article III.—La présente Convention n'affecte pas les engagements pris précédemment par les Hautes Parties Contractantes en vertu d'accords internationaux.

Article IV.—La présente Convention sera ratifiée par les Hautes Parties Contractantes, conformément à leurs procédures constitutionnelles. Le Ministère des Affaires Etrangères de la République Argentine conservera les originaux de la présente Convention, et est chargé d'en envoyer, à cette fin, des copies certifiées authentiques aux

Gouvernements. Les instruments de ratification seront déposés aux archives de l'Union Panaméricaine, à Washington, qui en notifiera le dépôt aux Gouvernements signataires; cette notification équivaudra à l'échange des ratifications.

Article V.—La présente Convention entrera en vigueur entre les Hautes Parties Contractantes dans l'ordre où elles auront déposé leurs ratifications respectives.

Article VI.—La présente Convention restera indéfiniment en vigueur, mais pourra être dénoncée moyennant un préavis d'un an à l'Union Panaméricaine, qui le transmettra aux autres Gouvernements signataires.

Ce délai écoulé, la Convention cessera d'être en vigueur pour la partie qui l'aura dénoncée, subsistant pour les autres Hautes Parties Contractantes.

Article VII.—La présente Convention reste ouverte à l'adhésion des Etats non signataires. Les instruments d'adhésion correspondants seront déposés aux archives de l'Union Panaméricaine qui les communiquera aux autres Hautes Parties Contractantes.

En foi de quoi, les Plénipotentiaires ci-après nommés, ont signé la présente Convention en espagnol, en anglais, en portugais et en français et y ont apposé leurs sceaux, dans la ville de Buenos Aires, Capitale de la République Argentine, ce vingt-trois Décembre mil neuf cent trente-six.

*Argentine:*

CARLOS SAAVEDRA LAMAS,  
ROBERTO M. ORTIZ,  
MIGUEL ANGEL CÁRCANO,  
JOSÉ MARÍA CANTILLO,  
FELIPE A. ESPIL,  
LEOPOLDO MELO,  
ISIDORO RUIZ MORENO,  
DANIEL ANTOKOLETZ,  
CARLOS BREBBIA,  
CÉSAR DÍAZ CISNEROS.

*Paraguay:*

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J. ISIDRO RAMÍREZ.

*Honduras:*

ANTONIO BERMÚDEZ M.,  
JULIÁN LÓPEZ PINEDA.

*Costa Rica:*

MANUEL F. JIMÉNEZ,  
CARLOS BRENES.

*Vénézuéla:*

CARACCILO PARRA PÉREZ,  
GUSTAVO HERRERA,  
ALBERTO ZÉREGA FOMBONA.

*Pérou:*

CARLOS CONCHA,  
ALBERTO ULLOA,  
FELIPE BARREDA LAOS,  
DIÓMEDES ARIAS SCHREIBER.

*Le Salvador:*

MANUEL CASTRO RAMÍREZ,  
MAXIMILIANO PATRICIO BRANNON.

*Mexique:*

FRANCISCO CASTILLO NÁJERA,  
 ALFONSO REYES,  
 RAMÓN BETETA,  
 JUAN MANUEL ALVAREZ DEL CASTILLO.

*Brésil:*

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 JOSÉ DE PAULA RODRIGUES ALVES,  
 HELIO LOBO,  
 HILDEBRANDO POMPEU PINTO ACCIOLY,  
 EDMUNDO DA LUZ PINTO,  
 ROBERTO CARNEIRO DE MENDONÇA,  
 ROSALINA COELHO LISBOA DE MILLER,  
 MARÍA LUIZA BITTENCOURT,

*Uruguay:*

PEDRO MANINI RÍOS,  
 EUGENIO MARTÍNEZ THEDY,  
 FELIPE FERREIRO,  
 ABALCÁZAR GARCÍA,  
 JULIO CÉSAR CERDEIRAS ALONSO,  
 GERVASIO POSADAS BELGRANO.

*Guatemala:*

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 JOSÉ A. MEDRANO,  
 ALFONSO CARRILLO.

*Nicaragua:*

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 MODESTO VALLE.

*République Dominicaine:*

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 TULIO M. CESTERO,  
 ENRIQUE JIMÉNEZ.

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 MIGUEL LÓPEZ PUMAREJO,  
 ROBERTO URDANETA ARBELÁEZ,  
 ALBERTO LLERAS CAMARGO,  
 JOSÉ IGNACIO DÍAZ GRANADOS.

*Panama:*

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 ADOLPH A. BERLE, Jr.,  
 ALEXANDER F. WHITNEY,  
 CHARLES G. FENWICK,  
 MICHAEL FRANCIS DOYLE,  
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 FÉLIX NIETO DEL RÍO,  
 RICARDO MONTANER BELLO.

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 JOSÉ GABRIEL NAVARRO,  
 FRANCISCO GUARDERAS,

*Bolivie.*

ENRIQUE FINOT,  
 DAVID ALVÉSTEGUI,  
 CARLOS ROMERO,

*Haiti:*

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 ELIE LESCOT,  
 EDMÉ MANIGAT,  
 PIERRE EUGÈNE DE LESPINASSE,  
 CLÉMENT MAGLOIRE.

*Cuba:*

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 RAMÓN ZAYDIN,  
 CARLOS MÁRQUEZ STERLING,  
 RAFAEL SANTOS JIMÉNEZ,  
 CÉSAR SALAYA,  
 CALIXTO WHITMARSH,  
 JOSÉ MANUEL CARBONELL.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America and the instrument of ratification was deposited with the Pan American Union at Washington on the 29th day of July, 1937;

Ratification.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

November 21, 1936  
[T. S. No. 930] *Treaty of establishment between the United States of America and Greece. Signed at Athens, November 21, 1936; ratification advised by the Senate, May 28, 1937; ratified by the President, July 23, 1937; ratified by Greece, January 9, 1937; ratifications exchanged at Athens, October 22, 1937; proclaimed, October 26, 1937.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

*Treaty of establishment with Greece.*

WHEREAS a Treaty of Establishment between the United States of America and the Kingdom of Greece was concluded and signed by their respective Plenipotentiaries at Athens, on the twenty-first day of November, one thousand nine hundred and thirty-six, the original of which Treaty, being in the English and Greek languages is word for word as follows:

#### TREATY OF ESTABLISHMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF GREECE

Contracting powers.

The United States of America and the Kingdom of Greece, being desirous of prescribing the conditions under which the nationals, corporations and associations of each country may settle and carry on business in the territory of the other country have decided to conclude a treaty for that purpose and have appointed their plenipotentiaries;

Plenipotentiaries.

The President of the United States of America His Excellency Mr. Lincoln Mac Veagh, Envoy Extraordinary and Minister Plenipotentiary at Athens;

His Majesty the King of the Hellenes His Excellency Mr. Nicolas Mavroudis, Permanent Under Secretary of State for Foreign Affairs; who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following provisions:

#### ARTICLE I

*Treatment of nationals, etc., with respect to entry, establishment, and residence.*

The nationals, limited liability and other corporations and associations of the United States of America and Greece respectively, shall receive in the territories of the other country treatment with respect to entry, establishment and residence which shall be, in all respects, no less favorable than the treatment which is or shall be accorded to nationals, corporations or associations of the most favored third country.

*Regulation of immigration.*

Nothing in this Treaty shall be construed to affect existing statutes or regulations of either of the High Contracting Parties in relation to the immigration of aliens or the right of either Party to enact such statutes.



## ARTICLE II

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Athens as soon as possible.

It shall take effect on the day of the exchange of ratifications and shall remain in force for three years. After this date it shall remain in force until the expiration of twelve months from the day on which notice of its termination shall have been given by either High Contracting Party to the other Party.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have affixed their seals thereto.

DONE in duplicate in the English and Greek languages, both authentic, at Athens this 21st day of November one thousand nine hundred and thirty-six.

[SEAL] LINCOLN MACVEAGH

[SEAL] N. MAVROUDIS

Ratification.

Effective date and duration.

Signatures.

## ΣΤΗΝΘΗΚΗ ΕΓΚΑΤΑΣΤΑΣΕΩΣ

ΜΕΤΑΞΕ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΑΜΕΡΙΚΗΣ

ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

Αἱ Ἠνωμέναι Πολιτεῖαι τῆς Ἀμερικῆς καὶ τὸ Βασίλειον τῆς Ἑλλάδος, ἐν τῇ ἐπιθυμίᾳ ὅπως καθορίσωσι τοὺς ὅρους ὑπὸ τοὺς ὁποίους οἱ πολῖται, ἑταιρεῖαι καὶ συνεταιρισμοὶ ἐκάστης χώρας θὰ δύνανται νὰ ἐγκατασταθῶσι καὶ διεξάγῃσι τὰς ἐπιχειρήσεις των ἐν τῷ ἐδάφει τῆς ἐτέρας, ἀπεφάσισαν πρὸς τὸν σκοπὸν τοῦτον τὴν σύναψιν συνθήκης καὶ δώρισαν τοὺς πληρεξουσίους αὐτῶν ὡς ἔπεται:

Ὁ Πρόεδρος τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς Τὴν Αὐτοῦ Ἐξουχότητα τὸν Κύριον Lincoln Mac Veagh, Ἐκτακτὸν Ἀπεσταλμένον καὶ Πληρεξούσιον Ἐκπαιδευτὴν ἐν Ἀθήναις.

Ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων Τὴν Αὐτοῦ Ἐξουχότητα τὸν Κύριον Νικόλαον Μαυρουδῆν, Μόνιμον ἐπὶ τῶν Ἐξωτερικῶν Ἐκπαιδευτὴν οἰκιστὴν, ἀνακοινώσαντες πρὸς ἀλλήλους τὰ οἰκεία αὐτῶν πληρεξουσία, εὗρον ταῦτα καλῶς ἔχοντα καὶ συνεφώνησαν ἐπὶ τῶν ἐπομένων:

## Ἄρθρον 1.

Οἱ πολῖται, ἀνώνυμοι ἑταιρεῖαι καὶ λοιπαὶ ἑταιρεῖαι καὶ συνεταιρισμοὶ τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς καὶ τῆς Ἑλλάδος θὰ ἀπολαμβάνωσιν ἐν τοῖς ἐδαφείοις τῆς ἐτέρας χώρας ὡς πρὸς τὴν εἰσόδον, ἐγκατάστασιν καὶ διαμονὴν των μεταχειρίσεως ἀπὸ πάσης ἀπόψεως οὐχὶ ὀλιγώτερον εὐνοϊκῆς τῆς παρεχομένης ἢ παρασχεθῆσομένης μεταχειρίσεως πρὸς τοὺς πολῖτας, ἑταιρείας ἢ συνεταιρισμοὺς τοῦ μᾶλλον εὐνοουμένου τρίτου κράτους.

Ἡ παρούσα Συνθήκη κατ'οὐδὲν θέλει μεταβάλλει τοὺς ἐν ἰσχύϊ νόμους καὶ κανονισμοὺς ἐκάτερου τῶν ὑψηλῶν Συμβαλλομένων Μερῶν σχετικῶς πρὸς τὴν μετανάστευσιν ἀλλοδαπῶν οὐδὲ θέλει παρεμποδίσει τὸ δικαίωμα ἐκάτερου Μέρους ὅπως θέσῃ ἐν ἰσχύϊ τοιοῦτους νόμους.

## Ἄρθρον 2.

Ἡ παρούσα Συνθήκη θέλει κυρωθῇ, αἱ δὲ ἐπικυρώσεις ταύτης θὰ ἀνταλλαγῶσιν ἐν Ἀθήναις ὅσον ὅσον τε ταχύτερον.

Θέλει ἰσχύσει ἀπὸ τῆς ἡμέρας τῆς ἀνταλλαγῆς τῶν ἐπικυρώσεων καὶ παραμένει ἐν ἰσχύϊ ἐπὶ τριετίαν. Μετὰ δὲ τὴν πάροδον ταύτης θὰ παραμείνῃ ἐν ἰσχύϊ μέχρι τῆς παρελεύσεως δώδεκα μηνῶν ἀπὸ τῆς ἡμέρας καθ'ἣν ἐκάτερον τῶν ὑψηλῶν Συμβαλλομένων Μερῶν θέλει εἰδοποιήσει τὸ ἔτερον περὶ τοῦ τερματισμοῦ τῆς.

Εἰς πίστωσιν τῶν ὁποίων οἱ πληρεξούσιοι δέγραψαν τὴν παροῦσαν Συνθήκην καὶ ἐπέθεσαν τὰς σφραγίδας των.

Ἐγένετο εἰς διπλοῦν εἰς τὴν Ἀγγλικὴν καὶ Ἑλληνικὴν, ἀμφοτέρων θεωρουμένων ὡς ἐν πρωτοτύπῳ ἐν Ἀθήναις τῇ 21ῃ τοῦ μηνὸς Νοεμβρίου τοῦ χιλιοστοῦ ἐννεακοσιοστοῦ τριακοστοῦ ἔκτου ἔτους.—

[SEAL] LINCOLN MACVEAGH

[SEAL] N. MAVROUDIS

Ratifications exchanged.

AND WHEREAS the said treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Athens, on the twenty-second day of October, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-sixth day of October in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

*Convention and protocol of signature thereto, between the United States of America and other powers respecting bills of lading for the carriage of goods by sea. Concluded at Brussels, August 25, 1924; signed on the part of the United States of America, June 23, 1925; ratification advised by the Senate of the United States, subject to two understandings, May 6, 1937; ratified by the President of the United States, subject to the said understandings, May 26, 1937; ratification of the United States of America deposited at Brussels, June 29, 1937; proclaimed, November 6, 1937. Together with related papers.*

August 25, 1924  
[T. S. No. 931]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, were signed on various dates thereafter by the respective plenipotentiaries of the United States of America, Germany, Belgium, Chile, Spain, Estonia, France, Great Britain and Northern Ireland, with a reservation, Hungary, Italy, Japan (the convention only), with reservations, Poland and the Free City of Danzig, Rumania and the Kingdom of the Serbs, Croats and Slovenes (Yugoslavia), the originals of which convention and protocol of signature in the French language are word for word as follows:

International convention, etc., respecting bills of lading for the carriage of goods by sea.  
Preamble.

Contracting parties.

### CONVENTION INTERNATIONALE POUR L'UNIFICATION DE CERTAINES RÈGLES EN MATIÈRE DE CONNAISSEMENT SIGNÉE A BRUXELLES, LE 25 AOUT 1924.

LE PRÉSIDENT DE LA RÉPUBLIQUE ALLEMANDE, LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE, SA MAJESTÉ LE ROI DES BELGES, LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI, LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA, SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE, SA MAJESTÉ LE ROI D'ESPAGNE, LE CHEF DE L'ÉTAT ESTONIEN, LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE, LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE, LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE, SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES POSSESSIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, SON ALTESSE SÉRÉNISSIME LE GOUVERNEUR DU ROYAUME DE HONGRIE, SA MAJESTÉ LE ROI D'ITALIE, SA MAJESTÉ L'EMPEREUR DU JAPON, LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE, LE PRÉSIDENT DE LA RÉPUBLIQUE DU MEXIQUE, SA MAJESTÉ LE ROI DE NORVÈGE, SA MAJESTÉ LA REINE DES PAYS-BAS, LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU, LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE, SA MAJESTÉ LE ROI DE ROUMANIE, SA

MAJESTÉ LE ROI DES SERBES, CROATES ET SLOVÈNES, SA MAJESTÉ LE ROI DE SUÈDE ET LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'URUGUAY,

Ayant reconnu l'utilité de fixer de commun accord certaines règles uniformes en matière de connaissance, ont décidé de conclure une Convention à cette effet et ont désigné, pour Leurs Plénipotentiaires, savoir:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE ALLEMANDE:

S. E. M. VON KELLER, Ministre d'Allemagne à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE:

SA MAJESTÉ LE ROI DES BELGES:

M. L. FRANCK, Ministre des Colonies, Président du Comité maritime international;

M. A. LE JEUNE, Sénateur, Vice-Président du Comité maritime international;

M. F. SOHR, Docteur en droit, Secrétaire Général du Comité maritime international, Professeur à l'Université de Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI:

S. E. M. ARMANDO QUEZADA, Ministre du Chili à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA:

SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE:

SA MAJESTÉ LE ROI D'ESPAGNE:

S. E. le Marquis DE VILLALOBAR ET DE GUIMAREY, Ambassadeur d'Espagne à Bruxelles.

M. LE CHEF DE L'ÉTAT ESTONIEN:

S. E. M. PUSTA, Ministre d'Estonie à Bruxelles.

M. LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

S. E. M. WILLIAM PHILLIPS, Ambassadeur des États-Unis d'Amérique à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

S. E. M. M. HERBETTE, Ambassadeur de France à Bruxelles

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES POSSESSIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES:

S. E. le Très Honorable Sir GEORGE GRAHAME, G. C. V. O. K. C. M. G., Ambassadeur de Sa Majesté Britannique à Bruxelles.

SON ALTESSE SÉRÉNISSIME LE GOUVERNEUR DU ROYAUME DE HONGRIE:

M. le Comte OLIVIER WORACZICKY, Baron de Pabienitz, Chargé d'affaires de Hongrie à Bruxelles.

SA MAJESTÉ LE ROI D'ITALIE:

M. J. DANE0, Chargé d'affaires a. i. d'Italie à Bruxelles.

SA MAJESTÉ L'EMPEREUR DU JAPON:

S. E. M. M. ADATCI, Ambassadeur du Japon à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU MEXIQUE:

SA MAJESTÉ LE ROI DE NORVÈGE:

SA MAJESTÉ LA REINE DES PAYS-BAS:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE ET LA VILLE LIBRE DE DANTZIG:

S. E. M. le Comte JEAN SZEMBEK, Ministre de Pologne à Bruxelles.

M. LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE:

SA MAJESTÉ LE ROI DE ROUMANIE:

S. E. M. HENRI CATARGI, Ministre de Roumanie à Bruxelles.

SA MAJESTÉ LE ROI DES SERBES, CROATES ET SLOVÈNES:

MM. STRAZNICKY et VERONA.

SA MAJESTÉ LE ROI DE SUÈDE:

M. LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'URUGUAY:

Lesquels, à ce dûment autorisés, sont convenus de ce qui suit:

#### ARTICLE PREMIER.

Dans la présente Convention les mots suivants sont employés dans le sens précis indiqué ci-dessous:

(a) «Transporteur» comprend le propriétaire du navire ou l'affréteur, partie à un contrat de transport avec un chargeur.

(b) «Contrat de transport» s'applique uniquement au contrat de transport constaté par un connaissement ou par tout document similaire formant titre pour le transport des marchandises par mer; il s'applique également au connaissement ou document similaire émis en vertu d'une charte-partie à partir du moment où ce titre régit les rapports du transporteur et du porteur du connaissement.

(c) «Marchandises» comprend biens, objets, marchandises et articles de nature quelconque, à l'exception des animaux vivants et de la cargaison qui, par le contrat de transport, est déclarée comme mise sur le pont et, en fait, est ainsi transportée.

(d) «Navire» signifie tout bâtiment employé pour le transport des marchandises par mer.

(e) «Transport de marchandises» couvre le temps écoulé depuis le chargement des marchandises à bord du navire jusqu'à leur déchargement du navire.

#### ARTICLE 2.

Sous réserve des dispositions de l'article 6, le transporteur dans tous les contrats de transport des marchandises par mer sera, quant au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des dites marchandises, soumis aux responsabilités et obligations, comme il bénéficiera des droits et exonérations ci-dessous énoncés.

## ARTICLE 3.

1. Le transporteur sera tenu avant et au début du voyage d'exercer une diligence raisonnable pour:

- (a) Mettre le navire en état de navigabilité;
- (b) Convenablement armer, équiper et approvisionner le navire;
- (c) Approprier et mettre en bon état les cales, chambres froides et frigorifiques et toutes autres parties du navire où des marchandises sont chargées pour leur réception, transport et conservation.

2. Le transporteur, sous réserve des dispositions de l'article 4, procédera de façon appropriée et soigneuse au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des marchandises transportées.

3. Après avoir reçu et pris en charge les marchandises, le transporteur ou le capitaine ou agent du transporteur devra, sur demande du chargeur, délivrer au chargeur un connaissement portant entre autres choses:

(a) Les marques principales nécessaires à l'identification des marchandises telles qu'elles sont fournies par écrit par le chargeur avant que le chargement de ces marchandises ne commence, pourvu que ces marques soient imprimées ou apposées clairement de toute autre façon sur les marchandises non emballées ou sur les caisses ou emballages dans lesquelles les marchandises sont contenues, de telle sorte qu'elles devraient normalement rester lisibles jusqu'à la fin du voyage;

(b) Ou le nombre de colis, ou de pièces, ou la quantité ou le poids, suivant les cas, tels qu'ils sont fournis par écrit par le chargeur;

(c) L'état et le conditionnement apparent des marchandises.

Cependant aucun transporteur, capitaine ou agent du transporteur, ne sera tenu de déclarer ou de mentionner, dans le connaissement des marques, un nombre, une quantité ou un poids, dont il a une raison sérieuse de soupçonner qu'ils ne représentent pas exactement les marchandises actuellement reçues par lui, ou qu'il n'a pas eu des moyens raisonnables de vérifier.

4. Un tel connaissement vaudra présomption, sauf preuve contraire, de la réception par le transporteur des marchandises telles qu'elles y sont décrites conformément au § 3, a), b) et c).

5. Le chargeur sera considéré avoir garanti au transporteur, au moment du chargement, l'exactitude des marques, du nombre, de la quantité et du poids tels qu'ils sont fournis par lui, et le chargeur indemniserà le transporteur de toutes pertes, dommages et dépenses provenant ou résultant d'inexactitudes sur ces points. Le droit du transporteur à pareille indemnité ne limitera d'aucune façon sa responsabilité et ses engagements sous l'empire du contrat de transport vis-à-vis de toute personne autre que le chargeur.

6. A moins qu'un avis des pertes ou dommages et de la nature générale de ces pertes ou dommages ne soit donné par écrit au transporteur ou à son agent au port de déchargement, avant ou au moment de l'enlèvement des marchandises, et de leur remise sous la garde de la personne ayant droit à la délivrance sous l'empire du contrat de

transport, cet enlèvement constituera, jusqu'à preuve contraire, une présomption que les marchandises ont été délivrées par le transporteur telles qu'elles sont décrites au connaissement.

Si les pertes ou dommages ne sont pas apparents, l'avis doit être donné dans les trois jours de la délivrance.

Les réserves écrites sont inutiles si l'état de la marchandise a été contradictoirement constaté au moment de la réception.

En tous cas le transporteur et le navire seront déchargés de toute responsabilité pour pertes ou dommages à moins qu'une action ne soit intentée dans l'année de la délivrance des marchandises ou de la date à laquelle elles eussent dû être délivrées.

En cas de perte ou dommage certains ou présumés, le transporteur et le réceptionnaire se donneront réciproquement toutes les facilités raisonnables pour l'inspection de la marchandise et la vérification du nombre de colis.

7. Lorsque les marchandises auront été chargées, le connaissement que délivrera le transporteur, capitaine ou agent du transporteur, au chargeur sera, si le chargeur le demande, un connaissement libellé «Embarqué» pourvu que, si le chargeur a auparavant reçu quelque document donnant droit à ces marchandises, il restitue ce document contre remise d'un connaissement «Embarqué». Le transporteur, le capitaine ou l'agent aura également la faculté d'annoter au port d'embarquement, sur le document remis en premier lieu, le ou les noms du ou des navires sur lesquels les marchandises ont été embarquées et la date ou les dates de l'embarquement, et lorsque ce document sera ainsi annoté, il sera, s'il contient les mentions de l'article 3, § 3, considéré aux fins de cet article comme constituant un connaissement libellé «Embarqué».

8. Toute clause, convention ou accord dans un contrat de transport exonérant le transporteur ou le navire de responsabilité pour perte ou dommage concernant des marchandises provenant de négligence, faute ou manquement aux devoirs ou obligations édictées dans cet article ou atténuant cette responsabilité autrement que ne le prescrit la présente Convention, sera nulle, non avenue et sans effet. Une clause cédant le bénéfice de l'assurance au transporteur ou toute clause semblable sera considérée comme exonérant le transporteur de sa responsabilité.

#### ARTICLE 4.

1. Ni le transporteur ni le navire ne seront responsables des pertes ou dommages provenant ou résultant de l'état d'innavigabilité, à moins qu'il ne soit imputable à un manque de diligence raisonnable de la part du transporteur à mettre le navire en état de navigabilité ou à assurer au navire un armement, équipement ou approvisionnement convenables, ou à approprier et mettre en bon état les cales, chambres froides et frigorifiques et toutes autres parties du navire où des marchandises sont chargées, de façon qu'elles soient aptes à la réception, au transport et à la préservation des marchandises, le tout conformément aux prescriptions de l'article 3, § 1<sup>er</sup>. Toutes les fois qu'une perte ou un dommage aura résulté de l'innavigabilité, le fardeau de la

preuve en ce qui concerne l'exercice de la diligence raisonnable tombera sur le transporteur ou sur toute autre personne se prévalant de l'exonération prévue au présent article.

2. Ni le transporteur ni le navire ne seront responsables pour perte ou dommage résultant ou provenant:

(a) Des actes, négligence ou défaut du capitaine, marin, pilote ou des préposés du transporteur dans la navigation ou dans l'administration du navire;

(b) D'un incendie, à moins qu'il ne soit causé par le fait ou la faute du transporteur;

(c) Des périls, dangers ou accidents de la mer ou d'autres eaux navigables;

(d) D'un « acte de Dieu »;

(e) De faits de guerre;

(f) Du fait d'ennemis publics;

(g) D'un arrêt ou contrainte de prince, autorités ou peuple, ou d'une saisie judiciaire;

(h) D'une restriction de quarantaine;

(i) D'un acte ou d'une omission du chargeur ou propriétaire des marchandises, de son agent ou représentant;

(j) De grèves ou lock-outs ou d'arrêts ou entraves apportés au travail, pour quelque cause que ce soit, partiellement ou complètement;

(k) D'émeutes ou de troubles civils;

(l) D'un sauvetage ou tentative de sauvetage de vies ou de biens en mer;

(m) De la freinte en volume ou en poids ou de toute autre perte ou dommage résultant de vice caché, nature spéciale ou vice propre de la marchandise;

(n) D'une insuffisance d'emballage;

(o) D'une insuffisance ou imperfection de marques;

(p) De vices cachés échappant à une diligence raisonnable;

(q) De toute autre cause ne provenant pas du fait ou de la faute du transporteur ou du fait ou de la faute des agents ou préposés du transporteur, mais le fardeau de la preuve incombera à la personne réclamant le bénéfice de cette exception et il lui appartiendra de montrer que ni la faute personnelle ni le fait du transporteur ni la faute ou le fait des agents ou préposés du transporteur n'ont contribué à la perte ou au dommage.

3. Le chargeur ne sera pas responsable des pertes ou dommages subis par le transporteur ou le navire et qui proviendraient ou résulteraient de toute cause quelconque sans qu'il y ait acte, faute ou négligence du chargeur, de ses agents ou de ses préposés.

4. Aucun déroutement pour sauver ou tenter de sauver des vies ou des biens en mer, ni aucun déroutement raisonnable ne sera considéré comme une infraction à la présente Convention ou au contrat de transport, et le transporteur ne sera responsable d'aucune perte ou dommage en résultant.

5. Le transporteur comme le navire ne seront tenus en aucun cas des pertes ou dommages causés aux marchandises ou les concernant



pour une somme dépassant 100 liv. sterl. par colis ou unité, ou l'équivalent de cette somme en une autre monnaie, à moins que la nature et la valeur de ces marchandises n'aient été déclarées par le chargeur avant leur embarquement et que cette déclaration ait été insérée au connaissement.

Cette déclaration ainsi insérée dans le connaissement constituera une présomption, sauf preuve contraire, mais elle ne liera pas le transporteur, qui pourra la contester.

Par convention entre le transporteur, capitaine ou agent du transporteur et le chargeur, une somme maximum différente de celle inscrite dans ce paragraphe peut être déterminée, pourvu que ce maximum conventionnel ne soit pas inférieur au chiffre ci-dessus fixé.

Ni le transporteur ni le navire ne seront en aucun cas responsables pour perte ou dommage causé aux marchandises ou les concernant, si dans le connaissement le chargeur a fait sciemment une déclaration fausse de leur nature ou de leur valeur.

6. Les marchandises de nature inflammable, explosive ou dangereuse, à l'embarquement desquelles le transporteur, le capitaine ou l'agent du transporteur n'auraient pas consenti, en connaissant leur nature ou leur caractère, pourront à tout moment, avant déchargement, être débarquées à tout endroit ou détruites ou rendues inoffensives par le transporteur sans indemnité et le chargeur de ces marchandises sera responsable de tout dommage et dépenses provenant ou résultant directement ou indirectement de leur embarquement. Si quelqu'une de ces marchandises embarquées à la connaissance et avec le consentement du transporteur devenait un danger pour le navire ou la cargaison, elle pourrait de même façon être débarquée ou détruite ou rendue inoffensive par le transporteur, sans responsabilité de la part du transporteur si ce n'est du chef d'avaries communes, s'il y a lieu.

#### ARTICLE 5.

Un transporteur sera libre d'abandonner tout ou partie de ses droits et exonérations ou d'augmenter ses responsabilités et obligations tels que les uns et les autres sont prévus par la présente Convention, pourvu que cet abandon ou cette augmentation soit inséré dans le connaissement délivré au chargeur.

Aucune disposition de la présente Convention ne s'applique aux chartes-parties; mais si des connaissements sont émis dans le cas d'un navire sous l'empire d'une charte-partie, ils sont soumis aux termes de la présente Convention. Aucune disposition dans ces règles ne sera considérée comme empêchant l'insertion dans un connaissement d'une disposition licite quelconque ou sujet d'avaries communes.

#### ARTICLE 6.

Nonobstant les dispositions des articles précédents, un transporteur, capitaine ou agent du transporteur et un chargeur seront libres, pour des marchandises déterminées, quelles qu'elles soient, de passer un contrat quelconque avec des conditions quelconques concernant la responsabilité et les obligations du transporteur pour ces marchan-

dises, ainsi que les droits et exonérations du transporteur au sujet de ces mêmes marchandises, ou concernant ses obligations quant à l'état de navigabilité du navire dans la mesure où cette stipulation n'est pas contraire à l'ordre public, ou concernant les soins ou diligence de ses préposés ou agents quant au chargement, à la manutention, à l'arrimage, au transport, à la garde, aux soins et au déchargement des marchandises transportées par mer, pourvu qu'en ce cas aucun connaissement n'ait été ou ne soit émis et que les conditions de l'accord intervenu soient insérées dans un récépissé qui sera un document non négociable et portera mention de ce caractère.

Toute convention ainsi conclue aura plein effet légal.

Il est toutefois convenu que cet article ne s'appliquera pas aux cargaisons commerciales ordinaires, faites au cours d'opérations commerciales ordinaires, mais seulement à d'autres chargements où le caractère et la condition des biens à transporter et les circonstances, les termes et les conditions auxquels le transport doit se faire sont de nature à justifier une convention spéciale.

#### ARTICLE 7.

Aucune disposition de la présente Convention ne défend à un transporteur ou à un chargeur d'insérer dans un contrat des stipulations, conditions, réserves ou exonérations relatives aux obligations et responsabilités du transporteur ou du navire pour la perte ou les dommages survenant aux marchandises, ou concernant leur garde, soin et manutention, antérieurement au chargement et postérieurement au déchargement du navire sur lequel les marchandises sont transportées par mer.

#### ARTICLE 8.

Les dispositions de la présente Convention ne modifient ni les droits ni les obligations du transporteur tels qu'ils résultent de toute loi en vigueur en ce moment relativement à la limitation de la responsabilité des propriétaires de navires de mer.

#### ARTICLE 9.

Les unités monétaires dont il s'agit dans la présente Convention s'entendent valeur or.

Ceux des Etats contractants où la livre sterling n'est pas employée comme unité monétaire se réservent le droit de convertir en chiffres ronds, d'après leur système monétaire, les sommes indiquées en livres sterling dans la présente Convention.

Les lois nationales peuvent réserver au débiteur la faculté de se libérer dans la monnaie nationale, d'après le cours du change au jour de l'arrivée du navire au port de déchargement de la marchandise dont il s'agit.

#### ARTICLE 10.

Les dispositions de la présente Convention s'appliqueront à tout connaissement créé dans un des Etats contractants.

## ARTICLE 11.

A l'expiration du délai de deux ans au plus tard à compter du jour de la signature de la Convention, le Gouvernement belge entrera en rapport avec les Gouvernements des Hautes Parties contractantes qui se seront déclarées prêtes à la ratifier, à l'effet de faire décider s'il y a lieu de la mettre en vigueur. Les ratifications seront déposées à Bruxelles à la date qui sera fixée de commun accord entre les dits Gouvernements. Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des États qui y prendront part et par le Ministre des Affaires Étrangères de Belgique.

Les dépôts ultérieurs se feront au moyen d'une notification écrite, adressée au Gouvernement belge et accompagnée de l'instrument de ratification.

Copie certifiée conforme au procès-verbal relatif au premier dépôt de ratifications, de notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratifications qui les accompagnent sera immédiatement, par les soins du Gouvernement belge et par la voie diplomatique, remise aux États qui ont signé la présente Convention ou qui auront adhéré. Dans les cas visés à l'alinéa précédent, ledit Gouvernement fera connaître, en même temps, la date à laquelle il a reçu la notification.

## ARTICLE 12.

Les États non signataires pourront adhérer à la présente Convention, qu'ils aient été ou non représentés à la Conférence internationale de Bruxelles.

L'État qui désire adhérer notifie par écrit son intention au Gouvernement belge, en lui transmettant l'acte d'adhésion, qui sera déposé dans les archives du dit Gouvernement.

Le Gouvernement belge transmettra immédiatement à tous les États signataires ou adhérents copie certifiée conforme de la notification ainsi que de l'acte d'adhésion en indiquant la date à laquelle il a reçu la notification.

## ARTICLE 13.

Les Hautes Parties contractantes peuvent, au moment de la signature, du dépôt des ratifications ou lors de leur adhésion, déclarer que l'acceptation qu'elles donnent à la présente Convention ne s'applique pas soit à certains soit à aucun des Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer, se trouvant sous leur souveraineté ou autorité. En conséquence, elles peuvent ultérieurement adhérer séparément au nom de l'un ou de l'autre de ces Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer, ainsi exclus dans leur déclaration originale. Elles peuvent aussi, en se conformant à ces dispositions, dénoncer la présente Convention séparément pour l'un ou plusieurs des Dominions autonomes, colonies, possessions, protectorats ou territoires d'outre-mer se trouvant sous leur souveraineté ou autorité.

## ARTICLE 14.

A l'égard des États qui auront participé au premier dépôt de ratifications, la présente Convention produira effet un an après la date du procès-verbal de ce dépôt. Quant aux États qui la ratifieront ultérieurement ou qui y adhéreront, ainsi que dans les cas où la mise en vigueur se fera ultérieurement et selon l'article 13, elle produira effet six mois après que les notifications prévues à l'article 11, alinéa 2, et à l'article 12, alinéa 2, auront été reçues par le Gouvernement belge.

## ARTICLE 15.

S'il arrivait qu'un des États contractants voulut dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement belge, qui communiquera immédiatement copie certifiée conforme de la notification à tous les autres États, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation produira ses effets à l'égard de l'État seul qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement belge.

## ARTICLE 16.

Chaque État contractant aura la faculté de provoquer la réunion d'une nouvelle conférence, dans le but de rechercher les améliorations qui pourraient être apportées à la présente Convention.

Celui des États qui ferait usage de cette faculté aurait à notifier un an à l'avance son intention aux autres États, par l'intermédiaire du Gouvernement belge, qui se chargerait de convoquer la conférence.

Fait à Bruxelles, en un seul exemplaire, le 25 août 1924.

*Pour l'Allemagne:*

KELLER.

*Pour la République Argentine:*

*Pour la Belgique:*

LOUIS FRANCK,  
ALBERT LE JEUNE,  
SOHR.

*Pour le Chili:*

ARMANDO QUEZADA.

*Pour la République de Cuba:*

*Pour le Danemark:*

*Pour l'Espagne:*

EL MARQUES DE VILLALOBAR.

*Pour l'Estonie:*

PUSTA.

*Pour les États-Unis d'Amérique:*

WILLIAM PHILLIPS.

*Pour la Finlande:*

*Pour la France:*

MAURICE HERBETTE.

*Pour la Grande-Bretagne:*

George GRAHAME.

*Pour la Hongrie:*

WORACZICKY.

*Pour l'Italie:*

Giulio DANEI.

*Pour le Japon:*

M. ADACHI.

Sous les réserves formulés dans la note relative à ce traité et jointe à ma lettre, datée du 25 août 1925, à S. Exc. M. ÉMILE VANDEVELDE, Ministre des Affaires Étrangères de Belgique.

*Pour la Lettonie:*

*Pour le Mexique:*

*Pour la Norvège:*

*Pour les Pays-Bas:*

*Pour le Pérou:*

*Pour la Pologne et la Ville Libre de Dantzig:*

SZEMBEK.

*Pour le Portugal:*

*Pour la Roumanie:*

Henry CARTAGI.

*Pour le Royaume des Serbes, Croates et Slovènes:*

Dr Milorad STRAZNICKY,

Dr VERONA.

*Pour la Suède:*

*Pour l'Uruguay:*

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### Protocole de Signature

En procédant à la signature de la Convention internationale pour l'unification de certaines règles en matière de Connaissance, les Plénipotentiaires soussignés ont adopté le présent protocole qui aura la même valeur que si ses dispositions étaient insérées dans le texte même de la Convention à laquelle il se rapporte.

Les Hautes Parties contractantes pourront donner à effet à cette Convention, soit en lui donnant force de loi, soit en introduisant dans leur législation nationale les règles adoptées par la Convention sous une forme appropriée à cette législation.

Elles se réservent expressément le droit:

1° De préciser que, dans les cas prévus par l'article 4, alinéa 2, de c) à p), le porteur du connaissance peut établir la faute personnelle du transporteur ou les fautes de ses proposés non couverts par le paragraphe a);

2° D'appliquer en ce qui concerne le cabotage national l'article 6 à toutes catégories de marchandises, sans tenir compte de la restriction figurant au dernier alinéa du dit article.

Fait à Bruxelles, en un seul exemplaire, le 25 août 1924.

*Pour l'Allemagne:*

KELLER.

*Pour la République Argentine:*

*Pour la Belgique:*

LOUIS FRANCK,  
ALBERT LE JEUNE,  
SOHR.

*Pour le Chili:*

ARMANDO QUEZADA.

*Pour la République de Cuba:*

*Pour le Danemark:*

*Pour l'Espagne:*

EL MARQUES DE VILLALOBAR.

*Pour l'Estonie:*

PUSTA.

*Pour les États-Unis d'Amérique:*

WILLIAM PHILLIPS.

*Pour la Finlande:*

*Pour la France:*

MAURICE HERBETTE.

*Pour la Grande-Bretagne:*

GEORGE GRAHAME.

En procédant à la signature de la présente Convention, Son Excellence a fait, au nom de son Gouvernement, la déclaration dont les termes sont reproduits en annexe au présent procès-verbal.

*Pour la Hongrie:*

WORACZICZKY.

*Pour l'Italie:*

GIULIO DANELO.

*Pour le Japon:*

*Pour la Lettonie:*

*Pour le Mexique:*

*Pour la Norvège:*

*Pour les Pays-Bas:*

*Pour le Pérou:*

*Pour la Pologne et la Ville Libre de Dantzig:*

SZEMBEK.

*Pour le Portugal:*

*Pour la Roumanie:*

HENRY CARTAGI.

*Pour le Royaume des Serbes, Croates et Slovènes:*

DR MILORAD STRAZNICKY,  
DR VERONA.

*Pour la Suède:*

*Pour l'Uruguay:*

I, the Undersigned, His Britannic Majesty's Ambassador at Brussels, on affixing my signature to the Protocol of Signature of the International Convention for the unification of certain rules relating to Bills of Lading, on this 15th day of November 1924, hereby make the following Declarations by direction of my Government:

I declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention.

I further declare that my signature applies only to Great Britain and Northern Ireland, I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which His Britannic Majesty exercises a mandate to accede of this Convention under Article 13.

GEORGE GRAHAME.

*His Britannic Majesty's Ambassador at Brussels.*

Brussels, this 15th day of November 1924.

AMBASSADE IMPÉRIALE  
DU  
JAPON

*Note annexée à la lettre de S. Exc. M. l'Ambassadeur du Japon à M. le Ministre des Affaires Étrangères de Belgique, du 25 août 1925.*

Au moment de procéder à la signature de la Convention internationale pour l'unification de certaines règles en matière de connaissance, le soussigné, Plénipotentiaire du Japon, fait les réserves suivantes:

a) A L'ARTICLE 4:

Le Japon se réserve, jusqu'à nouvel ordre l'acceptation des dispositions du a) à l'alinéa 2 de l'article 4.

b) Le Japon est d'avis que la Convention, dans sa totalité, ne s'applique pas au cabotage national; par conséquent, il n'y aurait pas lieu d'en faire l'objet de dispositions au Protocole. Toutefois, s'il n'en est pas ainsi, le Japon se réserve le droit de régler librement le cabotage national par sa propre législation.

M. ADATCI.

Bruxelles, le 25 août 1925.

AND WHEREAS the said convention, in accordance with a provision in Article 14 thereof, came into force on June 2, 1931, one year after the deposit with the Government of Belgium of the ratifications of the States which took part in the first deposit of ratifications on June 2, 1930, namely, Belgium, Great Britain and Northern Ireland, Spain, and Hungary;

AND WHEREAS the said convention was duly ratified on May 26, 1937, on the part of the United States of America, subject to two understandings as follows:

1. "Notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of

Date convention  
came into force.  
*Post*, p. 254.

Ratification by  
United States subject  
to specified under-  
standings.

Limitation on liabil-  
ity for loss or damage  
in U. S. jurisdiction.  
*Post*, pp. 252, 253.

the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading."

"Carriage of Goods by Sea Act" to prevail should conflict arise.  
49 Stat. 1207.  
46 U. S. C., Supp. III, §§ 1300-1315.

2. "That should any conflict arise between the provisions of the convention and the provisions of the Act of April 16, 1936, known as the 'Carriage of Goods by Sea Act', the provisions of said Act shall prevail."

Deposit of ratification, provisions governing.  
*Post*, p. 253.

AND WHEREAS Article 11 of the said convention provides that the deposits of ratifications subsequent to the first deposit of ratifications shall be made by means of a written notification addressed to the Belgian Government and accompanied by the instrument of ratification;

Notification and instrument of ratification addressed to Belgian Government.

AND WHEREAS a written notification of the ratification of the convention by the United States of America, accompanied by the instrument of ratification, was addressed to the Belgian Government on June 26, 1937, by the Chargé d'Affaires ad interim of the United States of America at Brussels;

Receipt by Belgian Government; deposit of instrument of ratification.

AND WHEREAS the said notification and instrument of ratification were duly received by the Belgian Government and the instrument of ratification was deposited on June 29, 1937 in the archives of the Belgian Foreign Office at Brussels;

Effective date in respect of United States.

AND WHEREAS, in accordance with a further provision of Article 14, the said convention shall take effect in respect of the United States of America six months after the written notification accompanied by the instrument of ratification was received by the Belgian Government, that is to say, on the twenty-ninth day of December, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that, subject to the two understandings aforesaid, the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, on and after December 29, 1937, the day on which the convention shall take effect with respect to the United States of America.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of November in the year of our Lord one thousand nine hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

*Acting Secretary of State.*



[Translation]

# **INTERNATIONAL CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO BILLS OF LADING, SIGNED AT BRUSSELS, AUGUST 25, 1924**

The President of the German Republic, the President of the Argentine Republic, His Majesty the King of the Belgians, the President of the Republic of Chile, the President of the Republic of Cuba, His Majesty the King of Denmark and Iceland, His Majesty the King of Spain, the Chief of the Estonian State, the President of the United States of America, the President of the Republic of Finland, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Possessions Beyond the Seas, Emperor of India, His Serene Highness the Regent of the Kingdom of Hungary, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Latvia, the President of the Republic of Mexico, His Majesty the King of Norway, Her Majesty the Queen of the Netherlands, the President of the Republic of Peru, the President of the Republic of Poland, the President of the Portuguese Republic, His Majesty the King of Rumania, His Majesty the King of the Serbs, Croats and Slovenes, His Majesty the King of Sweden and the President of the Republic of Uruguay,

Contracting Powers.

Having recognized the utility of laying down in common accord certain uniform rules relating to bills of lading, have decided to conclude a Convention to that effect and have designated as their Plenipotentiaries, namely:

Plenipotentiaries.

THE PRESIDENT OF THE GERMAN REPUBLIC:

His Excellency Mr. von Keller, Minister of Germany at Brussels.

THE PRESIDENT OF THE ARGENTINE REPUBLIC:

HIS MAJESTY THE KING OF THE BELGIANS:

Mr. L. Franck, Minister of Colonies, President of the International Maritime Committee;

Mr. A. Le Jeune, Senator, Vice President of the International Maritime Committee;

Mr. F. Sohr, Doctor of Law, Secretary General of the International Maritime Committee; Professor at the University of Brussels.

THE PRESIDENT OF THE REPUBLIC OF CHILE:

His Excellency Mr. Armando Quezada, Minister of Chile at Brussels.

THE PRESIDENT OF THE REPUBLIC OF CUBA:

HIS MAJESTY THE KING OF DENMARK AND ICELAND:

HIS MAJESTY THE KING OF SPAIN:

His Excellency the Marquis of Villalobar and Guimarey, Ambassador of Spain at Brussels.

CHIEF OF THE ESTONIAN STATE:

His Excellency Mr. Pusta, Minister of Estonia at Brussels.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

His Excellency Mr. William Phillips, Ambassador of the United States of America at Brussels.

THE PRESIDENT OF THE REPUBLIC OF FINLAND:

THE PRESIDENT OF THE FRENCH REPUBLIC:

His Excellency Mr. M. Herbette, Ambassador of France at Brussels.

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH POSSESSIONS BEYOND THE SEAS, EMPEROR OF INDIA:

His Excellency the Right Honorable Sir George Grahame, G. C. V. O., K. C. M. G., Ambassador of His Britannic Majesty at Brussels.

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY:

Count Olivier Woracziczky, Baron of Pabienitz, Chargé d'Affaires of Hungary at Brussels.

HIS MAJESTY THE KING OF ITALY:

Mr. J. Daneo, Chargé d'Affaires ad interim of Italy at Brussels.

HIS MAJESTY THE EMPEROR OF JAPAN:

His Excellency Mr. M. Adatci, Ambassador of Japan at Brussels.

THE PRESIDENT OF THE REPUBLIC OF LATVIA:

THE PRESIDENT OF THE REPUBLIC OF MEXICO:

HIS MAJESTY THE KING OF NORWAY:

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

THE PRESIDENT OF THE REPUBLIC OF PERU:

THE PRESIDENT OF THE REPUBLIC OF POLAND AND THE FREE CITY OF DANZIG:

His Excellency Count Jean Szembek, Minister of Poland at Brussels.

THE PRESIDENT OF THE PORTUGUESE REPUBLIC:

HIS MAJESTY THE KING OF RUMANIA:

His Excellency Mr. Henry Catargi, Minister of Rumania at Brussels.

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES:

Messrs. Straznicky and Verona.

HIS MAJESTY THE KING OF SWEDEN:

THE PRESIDENT OF THE REPUBLIC OF URUGUAY:

Who, duly authorized therefor, have agreed on the following:

### ARTICLE 1

In this convention the following words are employed with the meanings set out below:

Definitions.

(a) "Carrier" includes the owner of the vessel or the charterer who enters into a contract of carriage with a shipper.

(b) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea; it also applies to any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such instrument regulates the relations between a carrier and a holder of the same.

(c) "Goods" includes goods, wares, merchandise, and articles of every kind whatsoever except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

(d) "Ship" means any vessel used for the carriage of goods by sea.

(e) "Carriage of goods" covers the period from the time when the goods are loaded on to the time they are discharged from the ship.

### ARTICLE 2

Subject to the provisions of Article 6 under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

Carrier; responsibilities, rights, etc.  
*Post*, p. 252.

### ARTICLE 3

1. The carrier shall be bound before and at the beginning of the voyage to exercise due diligence to:—

Duties, before and at beginning of voyage.

(a) Make the ship seaworthy;

(b) Properly man, equip, and supply the ship;

(c) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

2. Subject to the provisions of Article 4 the carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

Loading, etc., of goods.  
*Post*, p. 251.

3. After receiving the goods into his charge the carrier or the master or agent of the carrier shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things:

Bill of lading; issuance to shipper.

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;

(b) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;

*Proviso.*  
Checking goods.

(c) The apparent order and condition of the goods;

Provided that no carrier, master, or agent of the carrier shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable grounds for suspecting not accurately to represent the goods actually received or which he has had no reasonable means of checking.

Evidence of receipt.

4. Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (a), (b), and (c).

Accuracy of marks,  
etc.

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

Indemnity for error.

Removal to be prima  
facie evidence of de-  
livery.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading.

Notice of loss when  
damage not apparent.

If the loss or damage is not apparent, the notice must be given within three days of the delivery.

Exception.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

Failure to bring  
suit; discharge of li-  
ability.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

Mutual rights, in  
case of loss.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

"Shipped" bill of  
lading.

7. After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading. At the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted, if it shows the particulars mentioned in paragraph 3 of Article 3, it shall for the purpose of this article be deemed to constitute a "shipped" bill of lading.

Covenant relieving  
from liability for neg-  
ligence, etc., void.

8. Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault, or failure in the duties and obligations provided in this article, or lessening such

liability otherwise than as provided in this convention, shall be null and void and of no effect. A benefit of insurance in favor of the carrier or similar clause shall be deemed to be a clause relieving the carrier from liability.

#### ARTICLE 4

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy and to secure that the ship is properly manned, equipped, and supplied and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph 1 of Article 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this article.

Rights and immunities of carriers.  
Loss from unseaworthiness.

Burden of proof.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from:

Exemption from liability from designated causes.

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;

(b) Fire, unless caused by the actual fault or privity of the carrier;

(c) Perils, dangers, and accidents of the sea or other navigable waters;

(d) Act of God;

(e) Act of war;

(f) Act of public enemies;

(g) Arrest or restraint of princes, rulers, or people or seizure under legal process;

(h) Quarantine restrictions;

(i) Act or omission of the shipper or owner of the goods, his agent, or representative;

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general;

(k) Riots and civil commotions;

(l) Saving or attempting to save life or property at sea;

(m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(n) Insufficiency of packing;

(o) Insufficiency or inadequacy of marks;

(p) Latent defects not discoverable by due diligence;

(q) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

Other causes not fault of carrier.

Burden of proof.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

Shipper not responsible for damage to carrier without fault.

Certain deviations  
not breaches.

4. Any deviation in saving or attempting to save life or property at sea or any reasonable deviation shall not be deemed to be an infringement or breach of this convention or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

Limitation on car-  
rier's liability.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100 pounds sterling per package or unit or the equivalent of that sum in other currency unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be prima facie evidence but shall not be binding or conclusive on the carrier.

Different maximum  
by agreement.

By agreement between the carrier, master, or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Misstatements,  
effect of.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to, or in connection with, goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

Inflammable, etc.,  
goods; treatment, dis-  
position, etc.

6. Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master, or agent of the carrier has not consented with knowledge of their nature and character may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

#### ARTICLE 5

Surrender of rights,  
etc., and increase of  
responsibilities, etc.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities, or to increase any of his responsibilities and liabilities under this convention provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

Inapplicability to  
charter parties.

The provisions of this convention shall not be applicable to charter parties, but if bills of lading are issued in the case of a ship under a charter-party they shall comply with the terms of this convention. Nothing in these rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

#### ARTICLE 6

Special conditions.  
Agreements be-  
tween carrier and  
shipper, effect of.

Notwithstanding the provisions of the preceding articles, a carrier, master, or agent of the carrier and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such

goods, and as to the rights and immunities of the carrier in respect of such goods, or concerning his obligation as to seaworthiness so far as this stipulation is not contrary to public policy, or concerning the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

*Proviso.  
Exceptions.*

#### ARTICLE 7

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to, or in connection with, the custody and care and handling of goods prior to the loading on, and subsequent to the discharge from, the ship on which the goods are carried by sea.

*Liability for goods  
prior to loading; after  
discharge from ship.*

#### ARTICLE 8

The provisions of this convention shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of seagoing vessels.

*Rights and obligations  
under statutes  
respecting liability of  
owners.*

#### ARTICLE 9

The monetary units mentioned in this convention are to be taken to be gold value.

*Monetary units.*

Those contracting states in which the pound sterling is not a monetary unit reserve to themselves the right of translating the sums indicated in this convention in terms of pound sterling into terms of their own monetary system in round figures.

The national laws may reserve to the debtor the right of discharging his debt in national currency according to the rate of exchange prevailing on the day of the arrival of the ship at the port of discharge of the goods concerned.

#### ARTICLE 10

The provisions of this convention shall apply to all bills of lading issued in any of the contracting States.

*Application of convention provisions.*

#### ARTICLE 11

After an interval of not more than two years from the day on which the convention is signed, the Belgian Government shall place itself in communication with the governments of the high contracting

*Communication by  
Belgian Government  
with governments prepared to ratify.*

Ratifications to be deposited at Brussels; date.  
First deposit of ratifications.

Subsequent deposits.

Transmittal, by Belgian Government, of certified copy of procès-verbal and instruments of ratification to signatory, etc., powers.

parties which have declared themselves prepared to ratify the convention, with a view to deciding whether it shall be put into force. The ratifications shall be deposited at Brussels at a date to be fixed by agreement among the said governments. The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the powers which take part therein and by the Belgian Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Belgian Government and accompanied by the instrument of ratification.

A duly certified copy of the procès-verbal relating to the first deposit of ratifications, of the notifications referred to in the previous paragraph, and also of the instruments of ratification accompanying them, shall be immediately sent by the Belgian Government through the diplomatic channel to the powers who have signed this convention or who have acceded to it. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.

#### ARTICLE 12

Accessions by non-signatory States.

Nonsignatory States may accede to the present convention whether or not they have been represented at the International Conference at Brussels.

A State which desires to accede shall notify its intention in writing to the Belgian Government, forwarding to it the document of accession, which shall be deposited in the archives of the said Government.

The Belgian Government shall immediately forward to all the States which have signed or acceded to the convention a duly certified copy of the notification and of the act of accession, mentioning the date on which it received the notification.

#### ARTICLE 13

Exclusion of dominions, colonies, etc., from provisions.

The high contracting parties may at the time of signature, ratification, or accession declare that their acceptance of the present convention does not include any or all of the self-governing dominions, or of the colonies, overseas possessions, protectorates, or territories under their sovereignty or authority, and they may subsequently accede separately on behalf of any self-governing dominion, colony, overseas possession, protectorate, or territory excluded in their declaration. They may also denounce the convention separately in accordance with its provisions in respect of any self-governing dominion, or any colony, overseas possession, protectorate, or territory under their sovereignty or authority.

Separate accessions.

Denunciation.

#### ARTICLE 14

Effective dates.

The present convention shall take effect, in the case of the States which have taken part in the first deposit of ratifications, one year after the date of the procès-verbal recording such deposit. As respects the States which ratify subsequently or which accede, and also in cases in which the convention is subsequently put into effect in



accordance with Article 13, it shall take effect six months after the notifications specified in paragraph 2 of Article 11, and paragraph 2 of Article 12, have been received by the Belgian Government.

*Ante*, pp. 253, 254.

#### ARTICLE 15

In the event of one of the contracting States wishing to denounce the present convention, the denunciation shall be notified in writing to the Belgian Government, which shall immediately communicate a duly certified copy of the notification to all the other States informing them of the date on which it was received.

Denunciation.

The denunciation shall only operate in respect of the State which made the notification, and on the expiry of one year after the notification has reached the Belgian Government.

#### ARTICLE 16

Any one of the contracting States shall have the right to call for a fresh conference with a view to considering possible amendments.

Call of conference for considering amendments.

A State which would exercise this right should notify its intention to the other States through the Belgian Government, which would make arrangements for convening the conference.

Signatures.

Done at Brussels, in a single copy, August 25, 1924.

*For Germany:*

KELLER.

*For the Argentine Republic:*

*For Belgium:*

LOUIS FRANCK.

ALBERT LE JEUNE.

SOHR.

*For Chile:*

ARMANDO QUEZADA.

*For the Republic of Cuba:*

*For Denmark:*

*For Spain:*

The Marquis of VILLALOBAR.

*For Estonia:*

PUSTA.

*For the United States of America:*

WILLIAM PHILLIPS.

*For Finland:*

*For France:*

MAURICE HERBETTE.

*For Great Britain:*

GEORGE GRAHAME.

*For Hungary:*

WORACZICKY.

*For Italy:*

GIULIO DANE0.

*For Japan:*

M. ADATCI.

Subject to the reservations formulated in the note relative to this treaty and appended to my letter dated August 25, 1925, to His Excellency Mr. Emile Vandervelde, Minister for Foreign Affairs of Belgium.

*For Latvia:*

*For Mexico:*

*For Norway:*

*For the Netherlands:*

*For Peru:*

*For Poland and the Free City of Danzig:*

SZEMBEK.

*For Portugal:*

*For Rumania:*

HENRY CATARGI.

*For the Kingdom of the Serbs, Croats and Slovenes:*

Dr. MILORAD STRAZNICKY.

Dr. VERONA.

*For Sweden:*

*For Uruguay:*

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### Protocol of Signature

Protocol of signature.

In proceeding to the signature of the international convention for the unification of certain rules relating to bills of lading, the undersigned plenipotentiaries have adopted the present protocol which will have the same validity as if the provisions thereof were inserted in the very text of the convention to which it refers.

The high contracting parties may give effect to this convention either by giving it the force of law or by including in their national legislation in a form appropriate to that legislation, the rules adopted under this convention.

Rights reserved.

They may reserve the right:

Establishment of responsibility arising from personal fault, etc.

*Ante*, p. 251.

National coasting trade.

*Ante*, p. 252.

1. To prescribe that in the cases referred to in paragraph 2 (c) to (p) of Article 4, the holder of a bill of lading shall be entitled to establish responsibility for loss or damage arising from the personal fault of the carrier or the fault of his servants which are not covered by paragraph (a);

2. To apply Article 6 insofar as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the last paragraph of that article.

Done at Brussels, in a single copy, August 25, 1924.

Signatures.

*For Germany:*

KELLER.

*For the Argentine Republic:*

*For Belgium:*

LOUIS FRANCK.

ALBERT LE JEUNE.

SOHR.

*For Chile:*

ARMANDO QUEZADA.

*For the Republic of Cuba:*

*For Denmark:*

*For Spain:*

The Marquis of VILLALOBAR.

*For Estonia:*

PUSTA.

*For the United States of America:*

WILLIAM PHILLIPS.

*For Finland:*

*For France:*

MAURICE HERBETTE.

*For Great Britain:*

GEORGE GRAHAME.

In proceeding to the signature of the present Convention, His Excellency made, in the name of his Government, the declaration of which the terms are reproduced in an annex to the present Procès-Verbal.

*Post*, p. 258.

*For Hungary:*

WORACZICKY.

*For Italy:*

GIULIO DANELO.

*For Japan:*

*For Latvia:*

*For Mexico:*

*For Norway:*

*For the Netherlands:*

*For Peru:*

*For Poland and the Free City of Danzig:*

SZEMBEK.

*For Portugal:*

*For Rumania:*

HENRY CATARGI.

*For the Kingdom of the Serbs, Croats and Slovenes:*

Dr. MILORAD STRAZNICKY.

Dr. VERONA.

*For Sweden:*

*For Uruguay:*

Declarations by  
Great Britain.

I, the Undersigned, His Britannic Majesty's Ambassador at Brussels, on affixing my signature to the Protocol of Signature of the International Convention for the unification of certain rules relating to Bills of Lading, on this 15th day of November 1924, hereby make the following declarations by direction of my Government:

I declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention.

I further declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which His Britannic Majesty exercises a mandate to accede to this Convention under Article 13.

GEORGE GRAHAME.

*His Britannic Majesty's Ambassador at Brussels.*

Brussels, this 15th day of November 1924.

#### IMPERIAL EMBASSY OF JAPAN

*Note annexed to the letter of His Excellency the Ambassador of Japan to the Minister of Foreign Affairs of Belgium, on August 25, 1925.*

Reservations by  
Japan.

At the moment of proceeding to the signature of the International Convention for the unification of certain rules relating to Bills of Lading, the undersigned, Plenipotentiary of Japan, makes the following reservations:

a) *To Article 4.*

Japan reserves to itself until further notice the acceptance of the provisions in (a) of paragraph 2 of Article 4.

b) Japan is of the opinion that the Convention does not in any part apply to national coasting trade: consequently, there should be no occasion to make it the object of provisions in the Protocol. However, if it be not so, Japan reserves to itself the right freely to regulate the national coasting trade by its own law.

M. ADATCI.

Brussels, August 25, 1925.

## RELATED PAPERS

Related papers.

## Proces-Verbal de Depot des Ratifications

Les ratifications sur la Convention internationale pour l'unification de certaines règles en matière de connaissements, signée à Bruxelles le 25 août 1924, de même que sur le Protocole de Signature y annexé, devant, aux termes de l'article 11 de la Convention, être déposées à Bruxelles, le présent Procès-Verbal a été dressé à cet effet au Ministère des Affaires Etrangères de Belgique.

Ont été présentées au dépôt le 2 juin 1930:

Les ratifications de Sa Majesté le Roi des Belges.

PAUL HYMANS.

Les ratifications de Sa Majesté le Roi du Royaume Uni de Grande-Bretagne et de l'Irlande du Nord.

GRANVILLE.

Les ratifications de Sa Majesté le Roi d'Espagne.

FRANCISCO G. DE AGUEIRA.

Les ratifications de Son Altesse Sérénissime le Gouverneur du Royaume de Hongrie.

JOSEPH KAIL.

La date du 2 juin 1930 marquera le point de départ du délai d'un an stipulé à l'article 14 de la Convention pour la mise en vigueur de celle-ci.

Bruxelles, le 2 juin 1930.

*Le Ministre des Affaires  
Etrangères de Belgique,*  
PAUL HYMANS.

[SCEAU DU  
MINISTÈRE DES  
AFFAIRES ÉTRANGÈRES]

[Translation]

As the ratifications of the International Convention for the Unification of Certain Rules in Regard to Bills of Lading, signed at Brussels on August 25, 1924, as well as of the Protocol of Signature annexed thereto, must, under the terms of article 11 of the convention, be deposited at Brussels, this Procès-Verbal was drawn up for that purpose at the Ministry of Foreign Affairs of Belgium.

There were presented for deposit on June 2, 1930:

The ratifications of His Majesty the King of the Belgians.

PAUL HYMANS.

The ratifications of His Majesty the King of the United Kingdom of Great Britain and Northern Ireland.

GRANVILLE.

The ratifications of His Majesty the King of Spain.

FRANCISCO G. DE AGUEIRA.

The ratifications of His Most Serene Highness the Regent of the Kingdom of Hungary.

JOSEPH KAIL.

The date of June 2, 1930, will mark the beginning of the period of 1 year stipulated by article 14 of the convention for the latter to go into effect.

Brussels, June 2, 1930.

*The Minister of Foreign Affairs of Belgium*

PAUL HYMANS

[SEAL OF THE  
MINISTRY OF  
FOREIGN AFFAIRS]

### Notification Effecting Deposit of Ratification of the United States of America

*The American Chargé d'Affaires ad interim (Sussdorff) to the Belgian Minister for Foreign Affairs and Foreign Commerce (Spaak)*

No. 965

EMBASSY OF THE UNITED STATES OF AMERICA,

*Brussels, June 26, 1937.*

EXCELLENCY,

Notification effecting deposit of ratification of the United States of America.

Acting under instructions from my Government, I have the honor to inform Your Excellency that the United States of America has ratified the convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, and signed on behalf of the United States of America at Brussels on June 23, 1925.

Subject to designated understandings.

The convention is ratified by the United States of America with two understandings, to which the Senate made its advice and consent subject, namely:

"that notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading"; and

"that should any conflict arise between the provisions of the convention and the provisions of the act of April 16, 1936, known as the Carriage of Goods by Sea Act, the provisions of said act shall prevail."

In accordance with the second paragraph of Article 11 of the convention, which provides that ratifications deposited subsequent to the signature of the procès-verbal relating to the first deposit of ratifications shall be made by means of a written notification addressed to Your Excellency's Government and accompanied by the instrument of ratification, I have the honor to transmit herewith the instrument of ratification of the United States of America, signed by the President on May 26, 1937.<sup>1</sup>

<sup>1</sup> *Post*, p. 261.

There are also enclosed for the information of Your Excellency's Government a copy of the "Carriage of Goods by Sea Act" of 1936,<sup>1</sup> and of a memorandum prepared by my Government showing a comparison between the Act and the Convention.<sup>2</sup> Additional copies of the Act and the memorandum will be made available to Your Excellency at an early date for transmission to the other signatory Governments.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

LOUIS SUSSDORFF, Jr.

*Chargé d'Affaires a. i.*

Enclosures:

1. Instrument of ratification
2. Carriage of Goods by Sea Act
3. Memorandum (one copy only)

His Excellency

Mr. PAUL H. SPAAK

*Minister for Foreign Affairs and Foreign Commerce*

[Enclosure 1]

[RATIFICATION OF THE UNITED STATES OF AMERICA]

FRANKLIN D. ROOSEVELT,

*President of the United States of America,*

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That whereas a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, dated and opened for signature at Brussels on August 25, 1924, were signed on various dates thereafter by the respective Plenipotentiaries of the United States of America, Germany, Belgium, Chile, Spain, Estonia, France, Great Britain and Northern Ireland, with a reservation, Hungary, Italy, Japan (the convention only), with reservations, Poland and the Free City of Danzig, Rumania and the Kingdom of the Serbs, Croats and Slovenes (Yugoslavia), certified copies of which convention and protocol are hereto annexed:<sup>3</sup>

Instrument of ratification.

AND WHEREAS, the Senate of the United States of America by their resolution of April 1 (legislative day March 13), 1935 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said convention and protocol of signature thereto, "with the understanding, to be made a part of such ratification, that, notwithstanding the provisions of Article 4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable

<sup>1</sup> *Post*, p. 262.

<sup>2</sup> *Post*, p. 269.

<sup>3</sup> *Ante*, pp. 233 and 243, respectively.

within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding \$500.00, lawful money of the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading”.

AND WHEREAS, the Senate of the United States of America by their resolution of May 6, 1937 (two-thirds of the Senators present concurring therein), did add to and make a part of their aforesaid resolution of April 1, 1935, the following understanding:

“That should any conflict arise between the provisions of the Convention and the provisions of the Act of April 16, 1936, known as the ‘Carriage of Goods by Sea Act’, the provisions of said Act shall prevail”:

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said convention and protocol of signature, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the two understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this twenty-sixth day of May in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[Enclosure 2]

# [CARRIAGE OF GOODS BY SEA ACT <sup>1</sup>]

## AN ACT

Relating to the carriage of goods by sea.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of this Act.

## TITLE I

SECTION 1. When used in this Act—

(a) The term “carrier” includes the owner or the charterer who enters into a contract of carriage with a shipper.

<sup>1</sup> Public, No. 521, 74th Cong., 49 Stat. 1207.



(b) The term "contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same.

(c) The term "goods" includes goods, wares, merchandise, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

(d) The term "ship" means any vessel used for the carriage of goods by sea.

(e) The term "carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

#### RISKS

SEC. 2. Subject to the provisions of section 6, under every contract of carriage of goods by sea, the carrier in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities and entitled to the rights and immunities hereinafter set forth.

#### RESPONSIBILITIES AND LIABILITIES

SEC. 3. (1) The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

- (a) Make the ship seaworthy;
- (b) Properly man, equip, and supply the ship;
- (c) Make the holds, refrigerating and cooling chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

(2) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

(3) After receiving the goods into his charge the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage.

(b) Either the number of packages or pieces, or the quantity or weight, as the case may be, as furnished in writing by the shipper.

(c) The apparent order and condition of the goods: *Provided*, That no carrier, master, or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately

to represent the goods actually received, or which he has had no reasonable means of checking.

(4) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraphs (3) (a), (b), and (c), of this section: *Provided*, That nothing in this Act shall be construed as repealing or limiting the application of any part of the Act, as amended, entitled "An Act relating to bills of lading in interstate and foreign commerce", approved August 29, 1916 (U. S. C., title 49, secs. 81-124), commonly known as the "Pomerene Bills of Lading Act."

(5) The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him; and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

(6) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading. If the loss or damage is not apparent, the notice must be given within three days of the delivery.

Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered: *Provided*, That if a notice of loss or damage, either apparent or concealed, is not given as provided for in this section, that fact shall not affect or prejudice the right of the shipper to bring suit within one year after the delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

(7) After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading: *Provided*, That if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships

upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this section be deemed to constitute a "shipped" bill of lading.

(8) Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with the goods, arising from negligence, fault, or failure in the duties and obligations provided in this section, or lessening such liability otherwise than as provided in this Act, shall be null and void and of no effect. A benefit of insurance in favor of the carrier, or similar clause, shall be deemed to be a clause relieving the carrier from liability.

#### RIGHTS AND IMMUNITIES

SEC. 4. (1) Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped, and supplied, and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph (1) of section 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other persons claiming exemption under this section.

(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;

(b) Fire, unless caused by the actual fault or privity of the carrier;

(c) Perils, dangers, and accidents of the sea or other navigable waters;

(d) Act of God;

(e) Act of war;

(f) Act of public enemies;

(g) Arrest or restraint of princes, rulers, or people, or seizure under legal process;

(h) Quarantine restrictions;

(i) Act or omission of the shipper or owner of the goods, his agent or representative;

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general: *Provided*, that nothing herein contained shall be construed to relieve a carrier from responsibility for the carrier's own acts;

(k) Riots and civil commotions;

(l) Saving or attempting to save life or property at sea;

(m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(n) Insufficiency of packing;

- (o) Insufficiency or inadequacy of marks;
- (p) Latent defects not discoverable by due diligence; and
- (q) Any other cause arising without the actual fault and privity of the carrier and without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

(3) The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

(4) Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of this Act or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom: *Provided, however,* That if the deviation is for the purpose of loading or unloading cargo or passengers it shall, *prima facie*, be regarded as unreasonable.

(5) Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with the transportation of goods in an amount exceeding \$500 per package lawful money of the United States, or in case of goods not shipped in packages, per customary freight unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading, shall be *prima facie* evidence, but shall not be conclusive on the carrier.

By agreement between the carrier, master, or agent of the carrier, and the shipper another maximum amount than that mentioned in this paragraph may be fixed: *Provided,* That such maximum shall not be less than the figure above named. In no event shall the carrier be liable for more than the amount of damage actually sustained.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with the transportation of the goods if the nature or value thereof has been knowingly and fraudulently misstated by the shipper in the bill of lading.

(6) Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place, or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

## SURRENDER OF RIGHTS AND IMMUNITIES AND INCREASE OF RESPONSIBILITIES AND LIABILITIES

SEC. 5. A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under this Act, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of this Act shall not be applicable to charter parties; but if bills of lading are issued in the case of a ship under a charter party, they shall comply with the terms of this Act. Nothing in this Act shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

## SPECIAL CONDITIONS

SEC. 6. Notwithstanding the provisions of the preceding sections, a carrier, master or agent of the carrier, and a shipper shall, in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness (so far as the stipulation regarding seaworthiness is not contrary to public policy), or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea: *Provided*, That in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect: *Provided*, That this section shall not apply to ordinary commercial shipments made in the ordinary course of trade but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

SEC. 7. Nothing contained in this Act shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

SEC. 8. The provisions of this Act shall not affect the rights and obligations of the carrier under the provisions of the Shipping Act, 1916, or under the provisions of sections 4281 to 4289, inclusive, of the Revised Statutes of the United States, or of any amendments thereto; or under the provisions of any other enactment for the time being in force relating to the limitation of the liability of the owners of seagoing vessels.

## TITLE II

SECTION 9. Nothing contained in this Act shall be construed as permitting a common carrier by water to discriminate between competing shippers similarly placed in time and circumstances, either (a) with respect to their right to demand and receive bills of lading subject to the provisions of this Act; or (b) when issuing such bills of lading, either in the surrender of any of the carrier's rights and immunities or in the increase of any of the carrier's responsibilities and liabilities pursuant to section 5, title I, of this Act; or (c) in any other way prohibited by the Shipping Act, 1916, as amended.

SEC. 10. Section 25 of the Interstate Commerce Act is hereby amended by adding the following proviso at the end of paragraph 4 thereof: "*Provided, however, That insofar as any bill of lading authorized hereunder relates to the carriage of goods by sea, such bill of lading shall be subject to the provisions of the Carriage of Goods by Sea Act.*"

SEC. 11. Where under the customs of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper, and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in this Act, the bill of lading shall not be deemed to be prima facie evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

SEC. 12. Nothing in this Act shall be construed as superseding any part of the Act entitled "An Act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property", approved February 13, 1893, or of any other law which would be applicable in the absence of this Act, insofar as they relate to the duties, responsibilities, and liabilities of the ship or carrier prior to the time when the goods are loaded on or after the time they are discharged from the ship.

SEC. 13. This Act shall apply to all contracts for carriage of goods by sea to or from ports of the United States in foreign trade. As used in this Act the term "United States" includes its districts, territories, and possessions: *Provided, however, That the Philippine Legislature may by law exclude its application to transportation to or from ports of the Philippine Islands.* The term "foreign trade" means the transportation of goods between the ports of the United States and ports of foreign countries. Nothing in this Act shall be held to apply to contracts for carriage of goods by sea between any port of the United States or its possessions, and any other port of the United States or its possessions: *Provided, however, That any bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea between such ports, containing an express statement that it shall be subject to the provisions of this Act, shall be subjected hereto as fully as if subject*

hereto by the express provisions of this Act: *Provided further*, That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea from ports of the United States, in foreign trade, shall contain a statement that it shall have effect subject to the provisions of this Act.

SEC. 14. Upon the certification of the Secretary of Commerce that the foreign commerce of the United States in its competition with that of foreign nations is prejudiced by the provisions, or any of them, of title I of this Act, or by the laws of any foreign country or countries relating to the carriage of goods by sea, the President of the United States may, from time to time, by proclamation, suspend any or all provisions of title I of this Act for such periods of time or indefinitely as may be designated in the proclamation. The President may at any time rescind such suspension of title I hereof, and any provisions thereof which may have been suspended shall thereby be reinstated and again apply to contracts thereafter made for the carriage of goods by sea. Any proclamation of suspension or rescission of any such suspension shall take effect on a date named therein, which date shall be not less than ten days from the issue of the proclamation.

Any contract for the carriage of goods by sea, subject to the provisions of this Act, effective during any period when title I hereof, or any part thereof, is suspended, shall be subject to all provisions of law now or hereafter applicable to that part of title I which may have thus been suspended.

SEC. 15. This Act shall take effect ninety days after the date of its approval; but nothing in this Act shall apply during a period not to exceed one year following its approval to any contract for the carriage of goods by sea, made before the date on which this Act is approved, nor to any bill of lading or similar document of title issued, whether before or after such date of approval in pursuance of any such contract as aforesaid.

SEC. 16. This Act may be cited as the "Carriage of Goods by Sea Act."

Approved, April 16, 1936.

[Enclosure 3]

[MEMORANDUM OF THE DEPARTMENT OF STATE]

*Comparison of the Carriage of Goods by Sea Act of the United States of America, Approved April 16, 1936, and the Bills of Lading Convention concluded at Brussels, August 25, 1924.*

Memorandum showing a comparison between the Act and the Convention.

By the enacting clause of the Act Relating to the Carriage of Goods by Sea, approved April 16, 1936, every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of the Act.

## TITLE I

1. Section 3, subsection (2) of the Act does not contain the words "Subject to the provisions of Article 4" or their equivalent with which paragraph 2 of Article 3 of the Convention begins. The subsection, the words which are in the Convention but not in the act being placed in parentheses, is as follows:

"SEC. 3. . . .

"(2) ("Subject to the provisions of Article 4) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried."

2. Section 3, subsection (4) of the Act contains a proviso which is not in the Convention reserving the Act relating to bills of lading in interstate and foreign commerce, approved August 29, 1916 (Pomerene Act). The proviso is underlined<sup>1</sup> in the following quotation from the Act:

"SEC. 3. . . .

"(4) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraphs (3) (a), (b), and (c), of this section; *Provided, That nothing in this Act shall be construed as repealing or limiting the application of any part of the Act, as amended, entitled 'An Act relating to bills of lading in interstate and foreign commerce', approved August 29, 1916 (U. S. C., title 49, secs. 81-124), commonly known as the 'Pomerene Bills of Lading Act.'*"

[This proviso is primarily for the protection of subsequent holders of bills of lading. Prior to the enactment of the Pomerene Act a number of cases had arisen in the United States in which shippers had induced representatives of common carriers to sign bills of lading receipting for goods on the shipper's assurance that the goods would later be delivered to the carrier. The shippers would then dispose of the bills of lading through the usual discounting procedure. Subsequently these shippers for various reasons sometimes failed to deliver the goods to the carrier. The courts in the United States held that the fact that the goods never came into the custody of the carrier was a good defense to relieve it of liability to the holder of the bill of lading. The Pomerene Act changed this law so as to place the liability under such situations on the carrier.]<sup>2</sup>

3. Section 3, subsection (6) of the Act contains a new paragraph, appearing as the second paragraph of the subsection, which is not in the Convention, providing that notice of loss or damage may be endorsed on the receipt given for the goods. The new paragraph is underlined<sup>1</sup> in the following quotation from the Act:

"SEC. 3. . . .

"(6) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the

<sup>1</sup> Italicized.

<sup>2</sup> Brackets appear on original memorandum.



delivery by the carrier of the goods as described in the bill of lading. If the loss or damage is not apparent, the notice must be given within three days of the delivery.

*"Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof."*

4. The fourth paragraph of Section 3, subsection (6) of the Act contains a proviso which is not in the Convention to the effect that in all cases suit may be brought within one year. The proviso is underlined <sup>1</sup> in the following quotation from the Act:

"SEC. 3. . . .

"(6) . . .

*"In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered: Provided, That if a notice of loss or damage, either apparent or concealed, is not given as provided for in this section, that fact shall not affect or prejudice the right of the shipper to bring suit within one year after the delivery of the goods or the date when the goods should have been delivered."*

5. The condition "if it shows the particulars mentioned in paragraph 3 of Article 3" appearing near the end of paragraph 7 of Article 3 of the Convention is not in the Act. Section 3, subsection 7, of the Act, the language which is in the Convention but not in the Act being placed in parentheses, is as follows:

"SECTION 3. . . .

*"7. After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a 'shipped' bill of lading; Provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the 'shipped' bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted, (if it shows the particulars mentioned in paragraph 3 of Article 3,) the same shall for the purpose of this section be deemed to constitute a 'shipped' bill of lading."*

6. Section 4, subsection (2) (j) of the Act contains a proviso which is not in the Convention affirming the responsibility of the carrier for his own acts in strikes, lockouts, et cetera. The proviso is underlined <sup>1</sup> in the following quotation from the Act:

"SEC. 4. . . .

*"(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—*

*"(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general Provided, That nothing herein contained shall be construed to relieve a carrier from responsibility for the carrier's own acts;"*

<sup>1</sup> Italicized.

7. Section 4, Subsection 2 (q) of the Act differs from Article 4, paragraph 2 (q) of the Convention in that the word "and" is used at two places near the beginning of the paragraph in the Act where "or" is used in the Convention. Section 4, subsection (2) (q) of the Act is as follows:

"SEC. 4. . . .

"(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

"(q) Any other cause arising without the actual fault (or) *and* privity of the carrier (or) *and* without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage."

8. Section 4, subsection (4) of the Act contains a proviso which is not in the Convention to the effect that deviation for the purpose of loading or unloading cargo or passengers is *prima facie* unreasonable. The proviso is underlined<sup>1</sup> in the following quotation from the Act:

"SEC. 4. . . .

"(4) Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of this Act or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom: *Provided, however, That if the deviation is for the purpose of loading or unloading cargo or passengers it shall, prima facie, be regarded as unreasonable.*"

9. Section 4, subsection (5) of the Act contains phraseology in the first paragraph by which the reservation which the Senate made in giving its advice and consent to the ratification of the Convention substituting lawful money of the United States in place of "gold value" is adopted. In this subsection \$500 is substituted for 100 pounds sterling pursuant to the privilege reserved by the Contracting States in the second paragraph of Article 9 of the Convention. The words "the transportation of" are used before "goods" near the beginning of the subsection, and the words "binding or" which appear in the Convention are omitted from the next sentence of this subsection. The language appearing in Section 4, subsection (5) of the Act, but not in Article 4, paragraph 5 of the Convention, is underlined<sup>1</sup> and the words "binding or" are placed in parentheses in the following quotation from the Act:

"SEC. 4. . . .

"(5) Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with *the transportation of goods in an amount exceeding \$500 per package lawful money of the United States, or in case of goods not shipped in packages, per customary freight unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading, shall be prima facie evidence, but shall not be (binding or) conclusive on the carrier.*"

<sup>1</sup> Italicized.

10. Section 4, subsection (5) of the Act contains a sentence in the second paragraph which is not in the Convention to the effect that in no case shall the carrier be liable for more than the amount of damage actually sustained. The sentence is underlined<sup>1</sup> in the following quotation from the Act:

"SEC. 4. . . .

"(5) . . .

"By agreement between the carrier, master, or agent of the carrier, and the shipper another maximum amount than that mentioned in this paragraph may be fixed: *Provided, That such maximum shall not be less than the figure above named. In no event shall the carrier be liable for more than the amount of damage actually sustained.*"

11. Section 4, subsection (5) last paragraph of the Act contains the phrases "the transportation of the" before "goods" and the words "and fraudulently" after "knowingly", which do not appear in the Convention. This paragraph of the Act, the expressions mentioned being underlined,<sup>1</sup> reads as follows:

"SEC. 4. . . .

"(5) . . .

"Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with *the transportation of the goods if the nature or value thereof has been knowingly and fraudulently* misstated by the shipper in the bill of lading."

12. In Section 8 of the Act reservations are made saving from the operation of the Act the provisions relating to the liability of the owners of seagoing vessels in certain Acts of the Congress of the United States,—namely the Shipping Act of 1916 and sections 4281 to 4289 inclusive of the Revised Statutes of the United States or any amendments thereof,—all of which this Government considers to be within the scope of the reservation in Article 8 of the Convention.

## TITLE II

The provisions of Title II of the Act may be regarded as supplementary to the provisions of Title I, which, with the enacting clause taking the place of Article 10, correspond to the first ten articles of the Convention.

The provisions of sections 9, 11 and 12 in Title II of the Act are designed primarily to make clear that the provisions of Title I shall not be construed to affect certain features of American law and practice. Section 9 provides that a common carrier by water may not discriminate between competing shippers similarly placed in time and circumstance; section 11 provides that where under the customs of any trade the weight of any bulk cargo inserted in a bill of lading was ascertained or accepted by a third party other than the carrier or the shipper, and that fact is stated in the bill of lading, the bill of lading shall not be deemed to be *prima facie* evidence against the

<sup>1</sup> Italicized.

carrier as to the weight, and that the accuracy of the weight at the time of shipment shall not be deemed to have been guaranteed by the shipper; section 12 provides that nothing in the Carriage of Goods by Sea Act shall supersede any part of the Act of the United States entitled "An Act relating to navigation of vessels, bills of lading and to certain obligations, duties, and rights in connection with the carriage of property," approved February 13, 1893, (commonly known as "The Harter Act"), or of any other law which would be applicable in the absence of that Act, insofar as they relate to the duties, responsibilities and liabilities of the ship or carrier prior to the time when goods are loaded on or after the time they are discharged from the ship.

By section 10 an amendment is made to section 25 of the Interstate Commerce Act by adding at the end of paragraph 4 thereof a proviso to the effect that insofar as any bill of lading authorized under that paragraph relates to the carriage of goods by sea it shall be subject to the provisions of the Carriage of Goods by Sea Act.

Section 13 provides in effect that the Act applies in respect of foreign trade of the United States, including the foreign trade of territories and possessions. This section also provides that the Act does not apply to contracts for the carriage of goods by sea between ports of the United States and between ports of the United States and its possessions, or between the latter, namely in coastwise trade, but the Section also provides for the recognition of express statements applying the provisions of the Act in shipments in such trade, when they are made in bills of lading.

By section 14 authority is conferred on the President to suspend on not less than ten days notice any or all of the provisions of Title I upon certification by the Secretary of Commerce that the foreign commerce of the United States in its competition with the commerce of foreign nations is prejudiced by the operation of any of the provisions of Title I of the Act or by the laws of any foreign country or countries relating to the carriage of goods by sea.

The foregoing differences from the Convention, made in the Carriage of Goods by Sea Act, are intended primarily (1) to clarify provisions in the Convention which may be of uncertain meaning thereby avoiding expensive litigation in the United States for purposes of interpretation and (2) to coordinate the Carriage of Goods by Sea Act with other legislation of the United States.

WASHINGTON, D. C.

*June 5, 1937.*

**Belgian Government's Acknowledgment of Notification**

*The Belgian Minister for Foreign Affairs and Foreign Commerce (Spaak)  
to the American Chargé d'Affaires ad interim (Sussdorff)*

MINISTÈRE  
DES  
AFFAIRES ÉTRANGÈRES  
ET DU  
COMMERCE EXTÉRIEUR

CABINET SERVICE JURIDIQUE  
No. 399/20646  
No. d'Ordre: 23863

BRUXELLES, le 2 juillet 1937.

MONSIEUR LE CHARGÉ D'AFFAIRES:

J'ai eu l'honneur de recevoir la lettre No. 965, en date du 26 juin dernier, par laquelle vous avez bien voulu me faire parvenir les instruments de ratification de M. le Président des Etats-Unis d'Amérique sur la convention internationale pour l'unification de certaines règles en matière de connaissance, signée à Bruxelles, le 25 août 1924.

Ces instruments étaient accompagnés du texte de la loi américaine sur le transport des marchandises par mer et d'un memorandum établi par le Département d'Etat.

Les instruments de ratification ayant été déposés au Ministère des Affaires Étrangères et du Commerce Extérieur de Belgique, le 29 juin 1937, c'est donc le 29 décembre 1937 que cette convention sortira ses effets vis-à-vis des Etats-Unis d'Amérique.

J'ai également eu l'honneur de recevoir votre lettre No. 969 en date du 29 juin,<sup>1</sup> par laquelle vous avez bien voulu me faire parvenir 25 exemplaires du texte de la loi américaine du 16 avril 1936 et du Memorandum du 5 juin 1937.

Je vous serais très obligé, Monsieur le Chargé d'Affaires, de vouloir bien me faire parvenir 30 exemplaires supplémentaires de ces deux documents.

Veillez agréer, Monsieur le Chargé d'Affaires, l'assurance de ma considération la plus distinguée.

Pour le Ministre:  
*Le Chef du Service Juridique,*  
DE RUELLE

Monsieur LOUIS SUSSDORFF Junior,  
*Chargé d'Affaires des Etats-Unis d'Amérique,*  
Bruxelles.

<sup>1</sup> Ne s'imprime pas.

[Translation]

MINISTRY  
OF  
FOREIGN AFFAIRS  
AND  
FOREIGN COMMERCE

OFFICE OF THE JURIDICAL DEPARTMENT  
No. 399/20646  
Serial No. 23863

BRUSSELS, *July 2, 1937.*

MR. CHARGÉ D'AFFAIRES,

Belgian Govern-  
ment's acknowl-  
edgment of ratification.

I had the honor to receive the letter No. 965 dated June 26 last, by which you were good enough to transmit to me the instruments of ratification of the President of the United States of America of the international convention for the unification of certain rules relating to bills of lading, signed at Brussels on August 25, 1924.

These instruments were accompanied by the text of the American law relating to the carriage of goods by sea and a memorandum of the Department of State.

As the instruments of ratification were deposited with the Belgian Ministry of Foreign Affairs and Foreign Commerce on June 29, 1937, this convention will go into effect with respect to the United States of America on December 29, 1937.

I also had the honor to receive your letter No. 969 dated June 29th,<sup>1</sup> by which you were good enough to transmit to me 25 copies of the text of the American law of April 16, 1936, and of the Memorandum of June 5, 1937.

I should be very much obliged to you, Mr. Chargé d'Affaires, if you would transmit to me 30 additional copies of these two documents.

Please accept, Mr. Chargé d'Affaires, the assurance of my most distinguished consideration.

For the Minister:

*Chief of the Juridical Department,*

DE RUELLE

Mr. LOUIS SUSSDORFF Junior,

*Chargé d'Affaires of the United States of America,  
Brussels.*

<sup>1</sup> Not printed.

**INTERNATIONAL AGREEMENTS  
OTHER THAN TREATIES**

# INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

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*Agreement between the United States of America and France concerning customs privileges for educational, religious, and philanthropic institutions in Syria and the Lebanon. Effected by exchange of notes signed February 18, 1937. And decree of the French High Commissioner dated March 27, 1937.*

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February 18, 1937  
[E. A. S. No. 107]

*The French Minister for Foreign Affairs (Delbos) to the American  
Ambassador (Bullitt)*

MINISTÈRE  
DES  
AFFAIRES ÉTRANGÈRES  
DIRECTION POLITIQUE

PARIS, le 18 Février 1937.

MONSIEUR L'AMBASSADEUR,

Désireux de rendre encore plus clairs les principes qui ont inspiré les notes échangées entre M. Poincaré et l'Ambassadeur Herrick, à Paris, respectivement datées du 2 novembre 1923<sup>1</sup> et du 18 décembre de la même année,<sup>1</sup> le Haut Commissaire de la République française en Syrie et au Liban a pris, le 20 décembre 1934, un arrêté n°292/L.R dont copie est ci-jointe; ce texte apporte certaines précisions au sujet des droits et privilèges relatifs à la franchise douanière accordée aux établissements scolaires, religieux et philanthropiques dans les Etats sous mandat. Mon gouvernement accueillerait avec sympathie tout commentaire que le Gouvernement américain voudrait bien faire sur les dispositions de cet arrêté et leurs effets sur les intérêts américains envisagés par l'échange des notes précitées./.

Agreement with  
France concerning  
customs privileges in  
Syria and the Leba-  
non.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

YVON DELBOS

Son Excellence l'Honorable  
WILLIAM C. BULLITT<sup>2</sup>

*Ambassadeur des Etats Unis d'Amérique  
Paris*

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<sup>1</sup> Ne s'imprime pas.

<sup>2</sup> Ainsi dans l'original.



[Enclosure]

DOUANES

ARRETE N° 292/LR  
du 20 Décembre 1934

portant exonération des droits de douane à l'égard des importations effectuées par les communautés religieuses, missions évangéliques, établissements d'enseignement et oeuvres d'assistance

Le Haut-Commissaire de la République Française,  
Vu les décrets du Président de la République Française en date du 23 Novembre 1920 et 16 Juillet 1933,  
Vu le règlement douanier ottoman du 31 décembre 1910,  
Vu les arrêtés N°s 1734 du 22 décembre 1922, 1228 du 13 Mai 1927, 1711 du 20 décembre 1927 et 2045 du 27 Juillet 1928.

## ARRETE:

ARTICLE 1.—L'exonération des droits de douane est accordée, dans les conditions et sous les réserves prévues par les textes susvisés, aux articles et produits limitativement désignés ci-après, importés par les communautés religieuses, missions évangéliques, établissements d'enseignement et oeuvres d'assistance:

A) *Objets destinés à la célébration du culte dans les églises, temples, mosquées, synagogues et autres maisons spéciales de prières:*

Donc envoyés par les souverains et les chefs d'états.

Crucifix—reliquaires de tous genres, ornés ou non ornés.

Calices, ostensoirs, ciboires, bassins, aiguières, encensoirs, navettes, burettes, plateaux et autres ustensiles, en or, argent ou vermeil.

Candélabres—chandeliers—vases à fleurs ornés ou non ornés, fleurs artificielles—dais—voiles—étoffes en toile pour l'autel—tentures et étoffes en soie ou en coton, pour l'ornementation—galons et franges en soie ou en argent—crosses de tous genres—tableaux ornés ou non ornés.

Vêtements sacerdotaux et autres, confectionnés ou non, destinés exclusivement au service religieux.

Tapis en laine, en velours, ou brodés d'or et d'argent.

Lustres et lampes en argent, vermeil, métal ou cristaux—or et argent en feuilles—couleurs et peintures destinées à l'ornementation—vitraux peints ou non peints—cierges—cire brute pour confectionner les cierges—encens—chapelets—médailles en or et argent—images—statues et statuettes.

Orgues et harmoniums—musique liturgique—missels—livres de prière ou de chants et, en général, tous les livres destinés à la célébration du culte.

Les articles repris ci-dessus ne peuvent bénéficier de la franchise douanière, que sous réserve d'être importés au nom de communautés religieuses ou de missions évangéliques.

B) *Articles et produits importés par les communautés religieuses et missions évangéliques pour l'entretien de leurs membres:*

Articles d'habillement: vêtements confectionnés et accessoires du vêtement (à l'exclusion des fourrures et autres garnitures de luxe)—coiffures—chaussures—cuirs et peau—bonneterie de laine ou de coton—lingerie de coton—rubans, cordonnets fils et tissus de soie, laine ou coton.

Articles et produits d'entretien: literie—articles en verre, faïence, porcelaine ou fer émaillé, pour la table ou la toilette—couteaux de table, fourchettes et cuillers, en métal ordinaire—batterie de cuisine—articles de ménage—outils de jardinage—graines potagères et florales—savon ordinaire.

Produits d'alimentation: farine de blé—sucre—riz—café—thé—chicorée—amidon—épices—légumes secs—pommes de terre—graisses—beurre, huiles, pâtes et conserves alimentaires—fromage—vin de table.

Articles de bureau: papier—crayons—plumes et porte-plumes—encre—encriers ordinaires—enveloppes en papier.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par personne.

C) *Articles et produits importés par les maisons d'éducation religieuse (séminaires et autres) pour l'entretien et l'instruction de leurs pensionnaires, ou pour l'instruction seule des élèves non entretenus par elles:*

Articles d'habillement repris au paragraphe B ci-dessus, à l'exclusion des rubans, cordonnets, fils et tissus de soie.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation repris au paragraphe B ci-dessus, à l'exclusion du vin de table.

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires: craie—tableaux noirs—cartes géographiques et autres livres.

Articles et produits spéciaux: articles de sport—instruments et produits pour cabinet de physique et de chimie—appareils de projections lumineuses fixes.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 2.500 P. L. S. par pensionnaire, ou 1.000 P. L. S. par élève non entretenu.

D) *Articles et produits importés par les établissements d'enseignement général ou technique pour l'instruction de leurs élèves:*

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires repris au paragraphe C ci-dessus, auxquels il convient d'ajouter: tablettes d'ardoise ou de carton noir—couleurs et accessoires pour peinture artistique.

Articles et produits spéciaux repris au paragraphe C ci-dessus, auxquels il convient d'ajouter: instruments de musique—objet de collection destinés à des établissements possédant un musée d'histoire naturelle—machines à écrire, machines à photocopier et accessoires, destinés à des établissements possédant un cours commercial—

appareils de T. S. F. ou de radiophonie, instruments et produits de laboratoire, instruments de chirurgie et de médecine, instruments dentaires et produits pharmaceutiques, destinés à des établissements d'enseignement technique.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.000 P. L. S. par élève.

*E) Articles et produits importés par les hôpitaux pour l'entretien et le soin des malades:*

Articles d'habillement: bonneterie de laine ou de coton—lingerie de coton—fils de laine ou de coton—tissus de coton.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation repris au paragraphe B ci-dessus, à l'exclusion du vin de table, mais auxquels il convient d'ajouter: cacao—chocolat—confiseries—biscuits—lait condensé.

Articles et produits spéciaux: instruments de chirurgie et de médecine—instruments dentaires—instruments et produits de laboratoire—médicaments—pansements—produits antiseptiques—alcool.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par lit.

*F) Articles et produits importés par les dispensaires pour le soin des malades:*

Articles et produits d'entretien: articles de ménage—savon ordinaire.

Articles et produits spéciaux repris au paragraphe E ci-dessus.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.200 P. L. S. par assisté.

*G) Articles et produits importés par les orphelinats pour l'entretien et l'instruction de leurs pensionnaires:*

Articles d'habillement repris au paragraphe B ci-dessus, à l'exclusion des cuirs et peaux, et des rubans, cordonnets, fils et tissus de soie.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits alimentation visés au paragraphe E ci-dessus.

Articles de bureau repris au paragraphe B ci-dessus.

Articles scolaires visés au paragraphe D ci-dessus.

Articles et produits spéciaux repris au paragraphe C ci-dessus auxquels il convient d'ajouter: instruments de musique—récompenses pour prix (livres ornés, cadres, boîtes et jouets d'enfants)—modèles de lingerie fine, ouvrages de tapisserie échantillonnées et articles de mercerie, destinés à des orphelinats de filles—outils et instruments pour travaux manuels, destinés à des orphelinats de garçons.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 2.500 P. L. S. par orphelin.

*H) Articles et produits importés par les hospices pour l'entretien de leurs pensionnaires:*

Articles d'habillement visés au paragraphe G ci-dessus.

Articles et produits d'entretien repris au paragraphe B ci-dessus.

Produits d'alimentation visés au paragraphe E ci-dessus.

Articles de bureau repris au paragraphe B ci-dessus.

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 7.000 P. L. S. par assisté.

ARTICLE 2.—Les importations de matériaux de construction, matériaux d'installation et d'entretien des bâtiments, matériels mécaniques, moteurs, engins, appareils et appareils de toute nature (installations électriques, pompes, etc.), effectuées par les établissements visés à l'article 1 du présent arrêté, demeurent régies par les arrêtés N<sup>os</sup> 6/LR, 166/LR, 211/LR et 232/LR, des 31 janvier 1931, 30 Juillet, 13 septembre et 4 Octobre 1934.

Toutefois, ces matériaux et matériels ne bénéficient de l'exemption des droits de douane que lorsqu'ils sont introduits par un port des Etats du Levant sous Mandat Français.

ARTICLE 3.—Pourront être exclus du bénéfice de l'exonération douanière, sur simple décision de l'autorité supérieure, ceux des articles, produits, matériaux et matériels, énumérés ci-dessus, qui auraient sur le marché intérieur des similaires provenant de l'agriculture ou de l'industrie locales.

ARTICLE 4.—Les articles, produits, matériaux et matériels, repris aux articles 1 et 2 du présent arrêté, ne sont admis en franchise douanière que s'ils sont importés de pays faisant partie de la Société des Nations, des Etats-Unis d'Amérique ou de pays bénéficiant d'accords tarifaires spéciaux.

Les marchandises de toute nature, introduites par des établissements ou groupements privilégiés, acquittent les droits du tarif maximum lorsqu'elles sont originaires de pays autres que ceux visés ci-dessus.

ARTICLE 5.—Bien que n'étant pas comprises parmi les établissements auxquels s'appliquent les dispositions des articles premier et 2 du présent arrêté, les cliniques privées pourront bénéficier, pour leurs lits gratuits, de la franchise prévue au paragraphe E de l'article premier ci-dessus.

ARTICLE 6.—Sont et demeurent abrogés toutes dispositions antérieures contraires au présent arrêté qui entrera en vigueur à compter du 1er janvier 1935.

ARTICLE 7.—Le Secrétaire Général et l'Inspecteur Général des Douanes sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

Beyrouth, le 20 décembre 1934

*Le Secrétaire Général*  
LAGARDE

*Le Haut-Commissaire*  
D. DE MARTEL

*Le Conseiller Législatif*  
A. MAZAS

*Le Conseiller du Haut-Commissariat  
aux Affaires Financières*

*L'Inspecteur Général des  
Douanes*  
ROUX

ABADIE GASQUIN

[Translation]

MINISTRY FOR FOREIGN AFFAIRS  
POLITICAL DIVISION

PARIS, *February 18, 1937.*

MR. AMBASSADOR:

Being desirous of further clarifying the principles animating the exchange of notes between M. Poincaré and Ambassador Herrick, dated at Paris, respectively, on November 2, 1923,<sup>1</sup> and December 18 of the same year,<sup>1</sup> the High Commissioner of the French Republic in Syria and the Lebanon formulated a decree, No. 292/LR, which was issued on December 20, 1934, a copy of which is enclosed; this text makes certain clarifications with respect to the rights and privileges of free importation for educational, religious and philanthropic institutions in the States under Mandate. My Government would welcome the comment of the American Government on the provisions of this decree and their effect on the American interests envisaged in the exchange of notes above referred to.

Please accept, Mr. Ambassador, the assurances of my very high consideration,

YVON DELBOS

His Excellency

The Honorable WILLIAM C. BULLITT,  
*Ambassador of the United States of America,*  
*Paris.*

[Enclosure—translation]

CUSTOMS

Decree of French  
High Commissioner.

DECREE NO. 292/LR  
of December 20, 1934,

carrying exemption from customs duties for importations made by religious communities, evangelical missions, educational establishments and philanthropic institutions

The High Commissioner of the French Republic,

In view of the decrees of the President of the French Republic under date of November 23, 1920, and July 16, 1933,

In view of the Ottoman customs regulations of December 31, 1910,

In view of Decrees Nos. 1734 of December 22, 1922, 1228 of May 13, 1927, 1711 of December 20, 1927, and 2045 of July 27, 1928.

## DECREES:

ARTICLE 1. Exemption from customs duties is accorded, under the conditions and with the reservations provided for in the above texts, to the articles and products limitatively described below, imported by religious communities, evangelical missions, educational establishments and philanthropic institutions:

<sup>1</sup> Not printed.

A) *Articles intended to be used in conducting religious worship in churches, temples, mosques, synagogues and other special houses of prayer:*

Gifts sent by sovereigns and chiefs of states.

Crucifixes, reliquaries of all kinds, ornamented or not ornamented.

Chalices, ostensories, ciboria, basins, ewers, censers, incense boats, altar-cruets, trays and other utensils, of gold, silver or vermeil.

Candelabra, chandeliers, flower vases, whether ornamented or plain, artificial flowers, canopies, veils, cloth materials for the altar, hangings and materials, of silk or cotton, for ornamentation, braids and fringes of silk or silver, croziers of all kinds, altar pieces, whether ornamented or plain.

Sacerdotal or other clothing, made up or not, intended exclusively for the religious service.

Carpets, wool, velvet, or embroidered with gold or silver.

Chandeliers (*lustres*) and lamps of silver, vermeil, metal or glass, gold and silver leaf, colors and paints intended for ornamentation, stained or unstained glass windows, candles, crude wax for making candles, incense, rosaries, gold and silver medals, pictures, statues and statuettes.

Organs and harmoniums, liturgical music, missals, prayer or song-books and, in general, all books intended for conducting worship.

The articles listed above cannot profit from the exemption from customs duties except when imported in the name of religious communities or evangelical missions.

B) *Articles and products imported by religious communities and evangelical missions for the support of their members:*

Articles of apparel: ready-made clothing and dress accessories (excluding furs and other luxurious furnishings), headdress, shoes, leather and hides, woolen or cotton hosiery, cotton underclothing, silk, woolen or cotton ribbons, cords, threads and woven goods.

Articles and products for maintenance: bedding; articles of glass, faience, porcelain or enameled iron, for the table or toilet; table knives, forks and spoons, of ordinary metal; kitchen utensils; house-keeping articles; gardening tools; vegetable and flower seeds, ordinary soap.

Food products: wheat flour, sugar, rice, coffee, tea, chicory, starch, spices, dry vegetables, potatoes, greases and fats, butter, oils, alimentary pastes and canned foods, cheese, table wine.

Office supplies: paper, pencils, pens and penholders, ink, ordinary inkwells, envelopes of paper.

The value of the goods which are admissible annually free of duty cannot exceed 7,000 Libano-Syrian piasters per person.

- C) *Articles and products imported by houses of religious education (seminaries and others) for the maintenance and instruction of their boarding pupils, or for the instruction only, of pupils not boarded by them:*

Articles of apparel listed in paragraph B above, with the exception of ribbons, cords, threads and tissues of silk.

Articles and products for maintenance listed in paragraph B above.

Alimentary products listed in paragraph B above, except table wine.

Office supplies listed in paragraph B above.

School supplies: chalk, blackboards, geographical maps and other books.

Special articles and products: sport goods, instruments and products for physical and chemical laboratories, apparatus for fixed luminous projections.

The value of the goods which are admissible annually duty free cannot exceed 2,500 Libano-Syrian piasters per boarded pupil, or 1,000 Libano-Syrian piasters per pupil not boarded.

- D) *Articles and products imported by establishments of general or technical education for the instruction of their pupils:*

Office supplies listed in paragraph B above.

School goods listed in paragraph C above, to which should be added: tablets of slate or black cardboard, colors and accessories for artistic painting.

Special articles and goods listed in paragraph C above, to which should be added: musical instruments, collection specimens intended for establishments possessing a natural history museum, typewriters, duplicating machines and accessories, intended for establishments having a commercial course, wireless or radio sets, laboratory instruments and products, surgical and medical instruments, dental instruments and pharmaceutical products, intended for establishments of technical education.

The value of the goods which are admissible annually duty free cannot exceed 1,000 Libano-Syrian piasters per pupil.

- E) *Articles and products imported by hospitals for the subsistence and care of the sick:*

Articles of apparel: woollen or cotton hosiery, cotton underclothing, wool or cotton thread, cotton cloth.

Subsistence articles and products listed in paragraph B above.

Alimentary products listed in paragraph B above, excluding table wine, but to which should be added: cocoa, chocolate, preserves, biscuits, condensed milk.

Special articles and products: surgical and medical instruments, dental instruments, laboratory instruments and products, medicines, dressings, antiseptic products, alcohol.

The value of the goods which are admissible annually duty free cannot exceed 7,000 Libano-Syrian piasters per bed.

F) *Articles and products imported by dispensaries for the care of the sick:*

Subsistence articles and products: household articles, ordinary soap.

Special articles and products listed in paragraph E above.

The value of the goods admissible annually duty free cannot exceed 1,200 Libano-Syrian piasters per person assisted.

G) *Articles and products imported by orphanages for the support and instruction of their inmates:*

Articles of apparel listed in paragraph B above, excluding leathers and hides, and silk ribbons, cords, threads and cloth.

Subsistence articles and products listed in paragraph B above.

Alimentary products referred to in paragraph E above.

Office supplies listed in paragraph B above.

School goods referred to in paragraph D above.

Special articles and products listed in paragraph C above, to which should be added: musical instruments, recompenses for prizes (ornamented books, frames, boxes and children's toys), patterns of fine lingerie, works of tapestry, samples and articles of dry goods, intended for girls' orphanages, tools and instruments for manual work, intended for boys' orphanages.

The value of the goods admissible annually duty free cannot exceed 2,500 Libano-Syrian piasters per orphan.

H) *Articles and products imported by hospices for the sustenance of their inmates:*

Articles of apparel contemplated in paragraph G above.

Sustenance articles and products listed in paragraph B above.

Alimentary products contemplated in paragraph E above.

Office supplies listed in paragraph B above.

The value of the goods admissible annually duty free cannot exceed 7,000 Libano-Syrian piasters per person assisted.

ARTICLE 2. The importations of construction materials, materials for the installation and maintenance of buildings, mechanical equipment, motors, appliances, apparatus and gear of all kind (electrical installations, pumps, etc.), made by the establishments contemplated in article 1 of this decree, continue to be governed by decrees Nos. 6/LR, 166/LR, 211/LR and 232/LR of January 31, 1931, July 30, September 13 and October 4, 1934.

Nevertheless, such materials and equipment do not benefit from exemption from customs duties unless they are introduced through a port of the Levantine States under French Mandate.

ARTICLE 3. Those articles, products, materials and equipment, enumerated above, for which like articles are found on the domestic market, produced by local industry or agriculture, may, simply by decision of the superior authorities, be excluded from the benefit of exemption from customs duties.



ARTICLE 4. The articles, products, materials and equipment listed in articles 1 and 2 of this decree are admitted duty free only if they are imported from countries that are members of the League of Nations, from the United States of America, or from countries benefiting from special tariff agreements.

Goods of all kinds, imported by privileged establishments or groups pay the maximum rate of duty when they originate in countries other than those referred to above.

ARTICLE 5. Although not included among the establishments to which the provisions of articles 1 and 2 of this decree apply, private clinics may benefit, for their free beds, from the exemption from duty provided for in paragraph E of article 1 above.

ARTICLE 6. All prior provisions contrary to this decree, which will come into force on January 1, 1935, are and remain revoked.

ARTICLE 7. The Secretary General and Inspector General of Customs are charged, each one in that which concerns him, with the execution of this decree.

BEIRUT, December 20, 1934.

*The Secretary General*

LAGARDE

*The Legislative Adviser*

A. MAZAS

*The Inspector General of Customs*

ROUX

*The High Commissioner*

D. DE MARTEL

*The Adviser of the High Commission  
in Financial Affairs*

ABADIE GASQUIN

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*The American Ambassador (Bullitt) to the French Minister for Foreign Affairs (Delbos)*

No. 221 EMBASSY OF THE UNITED STATES OF AMERICA,

Paris, February 18, 1937.

EXCELLENCY:

Proposal for modification of decree.

I have received Your Excellency's note enclosing a copy of the decree of the French High Commissioner in Syria, No. 292/LR of December 20, 1934, which was destined to make precise the privileges granted in the exchange of notes between M. Poincaré and Ambassador Herrick, dated, respectively, November 2, 1923,<sup>1</sup> and December 18 of the same year,<sup>1</sup> for the American educational, religious and philanthropic institutions in Syria and the Lebanon. I note that you invite the comment of my Government.

This matter has been made the subject of considerable correspondence between the Embassy and the Ministry, and the Consulate General at Beirut and the High Commission, and my Government has always reserved the rights granted it by the Convention between the United States of America and France regarding the Mandate for Syria and the Lebanon, dated April 4, 1924, and more specifically mentioned in the exchange of notes above referred to, and

<sup>1</sup> Not printed.

therefore will consider Decree No. 292/LR of December 20, 1934, as an interpretation of the privileges granted, subject to two modifications:

First, the liberalization of the amounts to be imported free of duty by the American University of Beirut. The desire for this modification arises from the fact that scientific instruments, equipment for teaching, hospitals, etc., which must all be imported by the University, create a proportion of importation relative to the number of students far higher than similar importations which might be required by secondary institutions and other foundations. Therefore, the creation of a special category for institutions of university standing might be in the public interest in the Mandated areas, particularly since devaluation has lessened the import value of the present allowances.

Second, it is suggested that, in case the American educational, religious and philanthropic institutions appeal from a decision of the customs inspectors, either as to amounts or classifications, no payment be made until the appeal shall have been heard and decided by the highest customs authorities. The reason which motivates this request is that appeals under the present régime tie up philanthropic funds for considerable lengths of time until decisions are acted upon, after which claims may be entered for the return of the money, and there is a long tie-up of funds destined entirely for eleemosynary purposes, as well as unnecessary administrative delay and inconvenience to both parties.

Should Your Excellency be able to consent to the two above mentioned modifications of Decree 292/LR of December 20, 1934, my Government will be most happy to consider the decree so modified as a satisfactory interpretation of the rights granted it by treaty and interpreted in the exchange of notes, by which it receives most favored nation treatment in this respect.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration,

WILLIAM C. BULLITT

His Excellency

Monsieur YVON DELBOS,

*Minister for Foreign Affairs,  
Paris.*

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*The French Minister for Foreign Affairs (Delbos) to the American  
Ambassador (Bullitt)*

MINISTÈRE  
DES  
AFFAIRES ÉTRANGÈRES  
DIRECTION POLITIQUE

PARIS, le 18 Février 1937.

MONSIEUR L'AMBASSADEUR,

J'ai reçu votre note en date de ce jour par laquelle vous avez bien voulu exposer les observations de votre gouvernement sur le régime

douanier appliqué aux établissements scolaires, religieux et philanthropiques américains, et suggérer certaines modifications que votre Gouvernement croit être nécessaires pour atténuer la difficulté d'interprétation des droits accordés par la Convention conclue entre les Etats-Unis d'Amérique et la France concernant le Mandat pour la Syrie et le Liban, en date du 4 avril 1924, et l'échange des notes du 2 Novembre 1923<sup>1</sup> et du 18 décembre de la même année.<sup>1</sup>

Mon gouvernement, dont l'action à ce sujet a été motivée par le désir d'interpréter l'esprit de ses engagements internationaux au mieux des intérêts des Etats du Levant sous mandat français, est heureux d'accepter les modifications que vous suggérez d'apporter à cette interprétation et prendra les mesures nécessaires en vue d'apporter aux textes en vigueur les modifications suivantes:

Le paragraphe d) de l'article 248 du code des douanes sera rectifié comme suit:

d) Articles et produits importés par les établissements d'enseignement général ou technique pour l'instruction de leurs élèves:

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1500 P. L. S. par élève pour les établissements d'instruction primaire ou secondaire et 2500 P. L. S. par élève pour les établissements universitaires.

L'art. 251 du code des douanes sera complété comme suit:

"A titre général, les droits exigibles sur chaque importation privilégiée doivent être consignés dans les caisses de la douane. Toutefois, cette dernière peut accepter, au lieu et place de la consignation précitée, la garantie d'une banque préalablement agréée par le chef de contrôle de la douane intéressée, toutes les fois que le montant des droits liquidés excède mille livres syriennes, ou le dépôt d'un engagement de l'établissement bénéficiaire étranger, transmis par son consul."

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

YVON DELBOS

Son Excellence l'Honorable

WILLIAM C. BULLIT<sup>2</sup>

*Ambassadeur des Etats Unis d'Amérique*

*Paris*

[Translation]

MINISTRY FOR FOREIGN AFFAIRS

POLITICAL DIVISION

PARIS, February 18, 1937.

MR. AMBASSADOR:

I have received your note of to-day's date setting forth the observations of your Government on the customs regime for American educational, religious and philanthropic institutions, and suggesting certain modifications which your Government feels would make less difficulty in the interpretation of the rights granted by the Convention between the United States of America and France regarding the Mandate for

Acceptance of proposed modifications.

<sup>1</sup> Ne s'imprime pas.

<sup>2</sup> Ainsi dans l'original.

Syria and the Lebanon, dated April 4, 1924, and the exchange of notes of November 2, 1923,<sup>1</sup> and December 18 of the same year.<sup>1</sup>

My Government, which has been moved in its action in this matter by the desire to interpret the spirit of its international engagements for the best interests of the States of the Levant under French Mandate, is pleased to accept the modifications of that interpretation which you suggest, and will take the necessary measures in order to make the following modifications in the texts of the current laws:

Paragraph (d) of Article 248 of the Customs Code shall be rectified as follows:

(d) Articles and products imported by establishments of technical and general education for the instruction of their pupils:

The value of merchandise annually admissible in franchise may not exceed 1,500 Libano-Syrian piasters per pupil for establishments of primary and secondary grade; and 2,500 Libano-Syrian piasters per pupil for establishments of university grade.

Article 251 of the Customs Code shall be completed as follows:

"In general, the sums receivable on any privileged importation shall be paid into the account of the Customs. However, the latter may accept in lieu of the above-mentioned payments the guarantee of a bank previously consented to by the head of the interested Customs office, whenever the total of the amounts to be paid in shall exceed 1,000 Libano-Syrian pounds; or the deposit of a pledge by the foreign beneficiary establishment, transmitted by its Consul."

Please accept, Mr. Ambassador, the assurances of my highest consideration,

YVON DELBOS

His Excellency

The Honorable WILLIAM C. BULLITT,  
*Ambassador of the United States of America,*  
*Paris.*

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*Decree of the French High Commissioner in Syria*

DOUANES

ARRETE NO. 53/L.R.  
du 27 Mars 1937

portant additif et modificatif No. 14 au Code des Douanes

Le Haut-Commissaire de la République Française,

Vu les décrets du Président de la République française en date des 23 novembre 1920 et 16 juillet 1933,

Vu l'arrêté No. 137/LR, du 15 juin 1935, dit "Code des Douanes", et les arrêtés subséquents portant additifs ou modificatifs Nos. 1 à 13 à ce Code,

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<sup>1</sup> Not printed.

## ARRÊTE:

ARTICLE 1. L'arrêté No. 137/LR, du 15 juin 1935, dit "Code des Douanes" est modifié ou complété dans les conditions ci-après:

*Article 248—paragraphe d—dernier alinéa.*—A remplacer par le texte suivant:

La valeur des marchandises admissibles annuellement en franchise ne peut dépasser 1.500 P. L. S. par élève pour les établissements d'enseignement primaire ou secondaire, et 2.500 P. L. S. pour les établissements universitaires.

*Article 251.*—A compléter comme suit:

. . . , ou le dépôt d'un engagement de l'établissement bénéficiaire étranger, transmis par son consul.

*Article 334.*—Premier alinéa à remplacer par le texte suivant:

L'Administration des Douanes est dispensée des formalités de timbre pour tous les actes qu'elle peut être appelée à produire en justice ou à requérir, ainsi que du paiement de tous frais judiciaires occasionnés par les instances qu'elle peut avoir à engager ou à soutenir en justice. Elle est exonérée également de tous frais d'exécution sans que le privilège du Trésor puisse être opposé au plain exercice de ses droits.

*Article 351.*—Nouvelle rédaction:

Pour le recouvrement de tous droits, amendes, confiscations et restitutions, l'Administration des Douanes dispose d'un privilège général sur le patrimoine mobilier des redevables. Ce privilège s'exerce en toute circonstance, même en cas de faillite et par préférence à toutes créances, excepté celles pour la conservation de la chose, pour frais de justice exposés par les tiers, et les créances bénéficiant d'un privilège général sur les meubles.

Il est de premier rang sur les sommes consignées par les redevables préalablement à l'opposition et à l'appel.

*Article 351 bis nouveau.*—

La caution qui paye à la Douane le montant garanti est subrogée dans les droits, privilèges et hypothèques de l'Administration.

En outre, la Douane peut, sans le consentement du débiteur, céder et transférer à tous tiers, mêmes aux co-débiteurs solidaires ou non et alors même que le droit serait litigieux ou l'objet d'une instance judiciaire, toute créance qui lui est due à n'importe quel titre, et conférer au cessionnaire ou bénéficiaire subrogation dans ses droits, privilèges et hypothèques à l'encontre du débiteur et de sa caution.

La subrogation consentie par la Douane s'exerce toujours au profit du titulaire dans les mêmes conditions que l'exercerait l'Administration.

Dans tous les cas, le subrogé entre dans les droits, privilèges et hypothèques de l'Administration après paiement, à la caisse de la Douane, du montant de la créance. Le titre de subrogation est constitué, sans autre formalité, par la quittance délivrée par la Douane qui précise les conditions et limites de la subrogation.

ARTICLE 2.—Le Secrétaire Général et l'Inspecteur Général des Douanes sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

BEYROUTH, le 27 Mars 1937

*Le Secrétaire General,*  
MEYRIER

*Le Haut Commissaire,*  
D. DE MARTEL

*Le Conseiller du Haut Com-*  
*missariat aux Affaires*  
*Economiques,*  
RECLUS

*Pr. le Conseiller du Haut Commissariat*  
*aux Affaires Financieres,*  
ROUCOLLE

*Le Conseiller Legislatif,*  
A. MAZAS

*L'Inspecteur General des Douanes,*  
ROUX

[Translation]

#### CUSTOMS

#### DECREE NO. 53/L.R. of March 27, 1937,

making modification No. 14 to the  
"Code des Douanes"

Decree of French  
High Commissioner  
with modifications.

The High Commissioner of the French Republic,  
Considering the decrees of the President of the French Republic  
dated November 23, 1920, and July 16, 1933,  
Considering Decree No. 137/LR of June 15, 1935, called "Code des  
Douanes", and subsequent decrees making modifications Nos. 1 to 13  
in this Code,

#### DECREES:

ARTICLE 1.—Decree No. 137/LR of June 15, 1935, called "Code des  
Douanes" is modified or completed as follows:

*Article 248—Section d—Last paragraph.*—To be replaced by the  
following text:

The value of merchandise admitted annually free of duty may not  
exceed 1,500 Syrian piasters per pupil for establishments of primary or  
secondary instruction, and 2,500 Syrian piasters for university  
establishments.

*Article 251.*—To be completed as follows:

. . . , or the deposit of a guarantee of the foreign institution in  
question transmitted by its consul.

*Article 334.*—The first paragraph to be replaced by the following  
text:

The Customs Administration is exempted from stamp formalities  
for all instruments which it might be called upon to produce or to  
demand judicially, as well as from payment of all judicial expenses  
occasioned by the actions which it might have to initiate or to defend  
judicially. It is likewise exempted from all costs of executions of  
judgments, and the Treasury's preferential claim cannot be alleged  
against the full exercise of its rights.

*Article 351.—New text:*

For the recovery of all rights, fines, confiscations and restitutions, the Customs Administration disposes of a general privilege upon the movable patrimony of its debtors. This privilege may be exercised under all circumstances, even in case of bankruptcy and by preference over all debts, except those for the conservation of the subject matter (*res*), for judicial costs incurred by third parties, and claims benefited by general privilege upon household effects.

It has first claim on sums deposited by the debtors as a preliminary to an opposition or appeal.

*Article 351 bis, new.—*

The bondsman who pays to the Customs the amount guaranteed is subrogated in the rights, privileges and mortgages of the Administration.

Furthermore, the Customs may, without the consent of the debtor, cede or transfer to any third party, even to joint debtors and even when the right may be doubtful or the object of judicial action, any debt which is due to it by any right whatsoever, and may confer upon the grantee or beneficiary subrogation in its rights, privileges and mortgages against the debtor and his bondsman.

The subrogation granted by the Customs shall be exercised always for the benefit of the titular owner in the same conditions under which the Administration would exercise it.

In any case, the person subrogated enters into the rights, privileges and mortgages of the Administration after payment into the funds of the Customs of the amount of the obligation. The quality of subrogation is established, without further formality, by the receipt delivered by the Customs which defines the conditions and limits of the subrogation.

ARTICLE 2.—The Secretary General and the Inspector General of Customs are charged, each within his own province, with the execution of the present decree.

*The Secretary General,*  
MEYRIER  
*Economic Adviser of the High*  
*Commission,*  
RECLUS  
*Legislative Adviser,*  
A. MAZAS

BEIRUT, March 27, 1937.  
*The High Commissioner,*  
D. DE MARTEL  
*For the Financial Adviser of*  
*the High Commission,*  
ROUCOLLE  
*Inspector General of Customs,*  
ROUX

*Parcel post agreement between the United States of America and the Kingdom of the Netherlands. Signed at Washington, September 5, 1937, and at The Hague, September 20, 1937; approved by the President, October 18, 1937.*

<sup>September 5, 1937</sup>  
September 20, 1937

PARCEL POST AGREEMENT  
BETWEEN  
THE UNITED STATES OF AMERICA  
AND  
THE KINGDOM OF THE NETHERLANDS

The undersigned, provided with full powers by their respective governments, have by mutual consent and subject to ratification by the competent superior authorities, drawn up the following agreement:

Parcel post agreement with the Netherlands.

ARTICLE I.

*Object of the agreement.*

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and the Kingdom of the Netherlands on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Object.

Territory embraced.

Post, p. 305.

ARTICLE II.

*Transit parcels.*

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Transit parcels.

Rights guaranteed

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Notice.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

Intermediate Administration, requirements.

ARTICLE III.

*Monetary standard.*

The franc used as the monetary unit in the provisions of the present Agreement is the gold franc of 100 centimes, weighing 10/31 of a gram and having a fineness of 0.900.

Monetary standard.

Gold franc, weight and fineness.



## ARTICLE IV.

Postage and fees.

*Prepayment of postage and fees.*

Collection from sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

## ARTICLE V.

Preparation of parcels.

*Preparation of parcels.*

Packing.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Post, p. 305.

## ARTICLE VI.

Prohibitions.

*Prohibitions.*

Articles specified.

1. The following articles are prohibited transmission by parcel post:

Dangerous articles.

(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage other parcels;

Narcotics.

(b) Opium, morphine, cocaine and other narcotics;

Nonadmissible articles.

(c) Any article the admission of which is forbidden by the customs or other laws or regulations in force in either country;

Letters, etc.

(d) A letter or any document which constitutes an actual and personal correspondence. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender;

Obscene, etc., articles.

(e) Obscene or immoral articles;

Enclosures with different address.

(f) An enclosure which bears an address different from that placed on the cover of the parcel;

Explosives.

(g) Explosive, inflammable, or dangerous substances;

Live animals.

(h) Any live animal, except leeches;

Coin, etc.

(i) Coin, bullion, jewelry, or any other precious article in uninsured parcels.

Parcel contravening above prohibitions; procedure.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

Parcel containing a letter.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail return of the parcel to the sender. The letter is, however, marked for collection of postage due from the addressee at the regular rate.

List of Prohibited Articles.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Parcels wrongly admitted.

## ARTICLE VII.

### *Insurance.*

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Insurance.

Maximum.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

Limitation.

## ARTICLE VIII.

### *Responsibility. Indemnity.*

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

Responsibility.

2. Except in the cases mentioned in the Article following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage to their contents, or a part thereof.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of 500 gold francs.

Indemnity.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, misdelivery or delay of an insured parcel dispatched in accordance with the conditions of the present agreement.

Indirect damages, etc.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not returned in any case.

Return of postage on loss of parcel.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss of transit insured parcels, that is, parcels originating in a country not participating in this agreement and destined for one of the two contracting countries or parcels originating in one of the two contracting countries and destined for a country not participating in this agreement.

Loss of transit insured parcels.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which

Parcels reforwarded to a third country, etc.

motor-driven passenger cars (one for the Attorney General, three for general use of the Department, two for the Federal Bureau of Investigation for investigative work), delivery trucks, and motorcycle, to be used only for official purposes; purchase of law books, books of reference, and periodicals, including the exchange thereof; and miscellaneous and emergency expenses authorized and approved by the Attorney General, to be expended at his discretion, \$143,300: *Provided*, That this appropriation may be reimbursed for expenditures in connection with cars herein authorized for the Bureau of Investigation from the appropriation for the expenses of said Bureau when approved in writing by the Attorney General: *Provided further*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

**Traveling expenses.** Traveling expenses: For all necessary traveling expenses under the Department of Justice and the Judiciary, including traveling expenses of probation officers and their clerks but not including traveling expenses otherwise payable under any appropriations for "United States Supreme Court", "United States Court of Customs and Patent Appeals", "United States Customs Court", "Court of Claims", "United States Court for China", "Federal Bureau of Investigation", "Salaries and expenses of marshals", "Fees of jurors and witnesses", and "Penal and correctional institutions (except as otherwise hereinbefore provided)", \$800,000.

**Printing and binding.** Printing and binding: For printing and binding for the Department of Justice and the Courts of the United States, \$275,000.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

Detection and prosecution of crimes.  
Protection of the President.  
Identification records.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; purchase and exchange not to exceed \$50,000, and hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business; purchase and exchange at not to exceed \$7,000 each, and maintenance, upkeep, and operation, of not more than four armored automobiles; firearms and ammunition; such stationery, supplies, and equipment for use at the seat of government or elsewhere as the Attorney General may direct; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses, in an amount not to exceed \$4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, including not to exceed \$20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient

Investigations.  
Matters under control of Departments of Justice and State.  
Vehicles.

Miscellaneous.

Rewards for apprehending fugitives.

Emergencies.

*Proviso.*  
Reimbursement for car expenses.

United States Code, Annotated; price limitation.

Statement of expenditures in Budget.

Traveling expenses.

Items not included.

Printing and binding.

Federal Bureau of Investigation.

voucher for the sum therein expressed to have been expended; and including not to exceed \$1,640,000 for personal services in the District of Columbia; \$6,000,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Federal Bureau of Investigation in the field when the aggregate amount involved does not exceed the sum of \$50.

#### MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

**Conduct of customs cases:** Assistant Attorney General, special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; expenses of procuring evidence, supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, \$130,000.

**Taxes and Penalties Division:** For salaries and expenses in connection with the enforcement of liability for internal-revenue taxes and penalties involving violation of the National Prohibition Act, as amended and supplemented, the determination of the remission or mitigation of forfeitures under the internal-revenue laws and of liability for internal-revenue taxes and penalties in connection with violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment, the institution of suits upon any cause of action under the National Prohibition Act or under the internal-revenue laws involving a violation of the National Prohibition Act arising prior to, and not affected by the repeal of the eighteenth amendment, and the compromise of any such cause of action before or after suit is brought, personal services in the District of Columbia and elsewhere, and such other expenditures (not exceeding \$50 for any one item) as may be necessary, \$203,000.

**Examination of judicial offices:** For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees and trustees of such courts; for copying, in the District of Columbia or elsewhere, reports of examiners at folio rates; in all, \$46,000, to be expended under the direction of the Attorney General.

#### BUREAU OF PRISONS

**Salaries:** For salaries in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$236,700.

The appropriation under title II for traveling expenses, shall be available in an amount not to exceed \$3,500, for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

#### VETERANS' INSURANCE LITIGATION

**Salaries and expenses:** For salaries and expenses incident to the defense of suits against the United States under section 19, of the

Services in the District.  
*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Miscellaneous.

Conduct of customs cases.

Taxes and Penalties Division.  
Enforcing designated Acts, etc., under.

Examination of judicial offices.

Bureau of Prisons.

Salaries and expenses.

Attendance at meetings.  
*Ante*, p. 274.

Veterans' insurance litigation.

Salaries and expenses.

43 Stat. 612, 1302;  
48 Stat. 302.  
38 U. S. C. § 445.

World War Veterans' Act, 1924, approved June 7, 1924, as amended and supplemented, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including office expenses, law books, supplies, equipment, stenographic reporting services by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, \$530,000.

#### Judicial.

### JUDICIAL

#### United States Supreme Court.

#### UNITED STATES SUPREME COURT

Salaries, Chief Justice and Associate Justices.  
Reporter and other officers and employees.  
*Post*, p. 766.

Salaries: For the Chief Justice and eight Associate Justices, Reporter of the Court, and all other officers and employees whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$422,700.

Printing and binding.

Printing and binding: For printing and binding for the Supreme Court of the United States, \$21,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, \$26,000.

Care of building and grounds.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (48 Stat. 668), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, and personal and other services, and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (U. S. C., title 41, secs. 5 and 16), \$60,000.

48 Stat. 668.

R. S. §§ 3709, 3744.  
41 U. S. C. §§ 5, 16.

#### Judges.

#### SALARIES OF JUDGES

#### Salaries.

Salaries of judges: For forty-three circuit judges; one hundred and sixty-three district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$2,410,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

Retired judges.  
28 U. S. C. § 375.  
46 Stat. 737.  
19 U. S. C. § 1518.  
*Proviso*.  
Availability.

#### Court of Customs and Patent Appeals.

#### COURT OF CUSTOMS AND PATENT APPEALS

#### Salaries.

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, \$101,120.

#### Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, \$3,000.

#### Printing and binding.

Printing and binding: For printing and binding, \$6,250.

#### Customs Court.

#### UNITED STATES CUSTOMS COURT

#### Salaries.

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$229,900.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$14,500.

Printing and binding: For printing and binding, \$1,000.

#### COURT OF CLAIMS

Salaries: Chief justice and four judges; chief clerk at not exceeding \$6,500; auditor at not exceeding \$5,000; and all other officers and employees of the court, \$122,160.

Printing and binding: For printing and binding, \$25,500.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, electric elevator, and other miscellaneous expenses, \$6,500.

Salaries and expenses of commissioners: For salaries of five regular commissioners and one temporary commissioner at \$7,500 each, and for traveling expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (U. S. C., title 28, secs. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (U. S. C., title 28, sec. 270), \$65,500.

Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$6,000.

#### TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices, and for judges of the circuit courts, \$88,500.

#### DISTRICT COURT, PANAMA CANAL ZONE

Salaries, District Court, Panama Canal Zone: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, \$47,000.

#### UNITED STATES COURT FOR CHINA

United States Court for China: For salaries of the judge, district attorney, and other officers and employees of the United States Court for China; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed \$1,700 for any one person; court expenses, including reference and law books, printing and binding, ice and drinking water for office purposes, traveling expenses of officers and employees of the court, and, under such regulations as the Attorney General may prescribe, of their families and effects, in going to and returning from their posts; preparation and transportation of remains of officers and employees who may die abroad or in transit while in the discharge of their official duties, to their former homes in the United States, or to a place not more distant for interment and for the ordinary expenses of such interment; the expense of maintaining in China American convicts and persons declared insane by the court, rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared insane by the court, \$54,000.

Contingent expenses.

Printing and binding.

Court of Claims.

Salaries.

Printing and binding.

Contingent expenses.

Commissioners, salaries and expenses.

46 Stat. 799.  
28 U. S. C. §§ 269, 270.

Repairs, etc., to buildings.

Territorial Courts.

Hawaii.

District Court, Panama Canal Zone.

United States Court for China.

Salaries and expenses.

46 Stat. 818.  
5 U. S. C. § 118a.

Bringing home remains of officers, etc., dying abroad.

United States  
Courts.

## MARSHALS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals.  
Salaries and ex-  
penses.  
Services in Alaska.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General, traveling expenses, purchase, when authorized by the Attorney General, of ten motor-propelled passenger-carrying vans at not to exceed \$2,000 each, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, \$3,560,000.

District attorneys.  
Salaries and ex-  
penses.

Salaries and expenses of district attorneys, and so forth: For salaries and expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$2,918,500.

Special attorneys,  
etc.  
Salaries and ex-  
penses.  
Foreign counsel.

Salaries and expenses of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$927,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed the rate of \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Provisos.  
Compensation limita-  
tion.Reports to Con-  
gress.Clerks of courts.  
Salaries and ex-  
penses.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, and expenses of conducting their respective offices, \$2,170,000.

Commissioners,  
etc., fees.  
R. S. § 1014.  
18 U. S. C. § 501.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), \$320,000.

Conciliation com-  
missioners, fees, etc.  
30 Stat. 544; 47 Stat.  
1467.  
11 U. S. C. §§ 201-  
206.

Conciliation commissioners, United States courts: For fees of conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, as amended, \$105,000: *Provided*, That none of the money appropriated herein shall be used to pay the statutory fee of any conciliation commissioner until the case for which the fee is provided shall have been finally disposed of, and not more than one fee shall be paid in any one case.

Proviso.  
Payment restric-  
tion.Jurors and wit-  
nesses.  
Fees, mileage, per  
diems, etc.  
R. S. § 850.  
28 U. S. C. § 604.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for

the United States and to be conclusive as provided by section 846, Revised Statutes (U. S. C., title 28, sec. 577), \$3,040,000: *Provided*, That not to exceed \$10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (U. S. C., title 28, secs. 9, 557-570, 595, 596), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$262,000: *Provided*, That, excepting in the case of bailiffs in charge of juries over Sundays and holidays, no per diem shall be paid to any bailiff unless the court is actually in session and the judge present and presiding or present in chambers: *Provided further*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts, and notarial fees or like services and stenographic work in taking depositions, at such rates of compensation as may be authorized or approved by the Attorney General, so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska, the Court of Claims, and in courts other than Federal courts; patent applications and contested proceedings involving inventions; rent of rooms for United States courts and judicial officers; supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, \$1,086,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": *Provided further*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That the maximum salary paid to any stenographer or law clerk to any circuit or district judge shall not exceed \$2,500 per annum: *Provided further*, That this limitation shall not operate to reduce the compensation of any stenographer now employed nor shall the salary of any stenographer drawing more than \$2,500 per annum hereafter be increased.

No part of the funds appropriated by title II of this Act for salaries of judges, the Attorney General, Assistant Attorneys General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the Department and paid to such officials severally, as and when such salaries fall due and without delay.

R. S. § 846.  
28 U. S. C. § 577.  
*Provisos.*  
Authorization, etc.,  
by Attorney General.

Attendance fee,  
limitation.

Bailiffs.  
Salaries and ex-  
penses.  
Jury expenses.

Alaska.  
31 Stat. 362.  
28 U. S. C. §§ 9, 557-  
570, 595, 596.  
Jury commissioners.

*Provisos.*  
Per diems, limita-  
tion on payment.

Use limited.

Miscellaneous ex-  
penses.

Alaska.

Rent, supplies, etc.

Law books for judi-  
cial officers.

Federal Reporter.

*Provisos.*  
Transmittal to suc-  
cessors.

United States Code,  
Annotated, price limita-  
tion.

Stenographer or law  
clerk, maximum sal-  
ary.

Present stenogra-  
phers not affected.

Restriction on use  
of designated funds.



Penal and correc-  
tional institutions.

Services, supplies,  
etc.

#### PENAL AND CORRECTIONAL INSTITUTIONS

For all services, including personal services compensated upon fee basis, supplies, materials, and equipment in connection with or incident to the subsistence and care of inmates and maintenance and upkeep of Federal penal and correctional institutions, including farm and other operations not otherwise specifically provided for in the discretion of the Attorney General; gratuities for inmates at release, provided such gratuities shall be furnished to inmates sentenced for terms of imprisonment of not less than six months, and transportation to the place of conviction or bona-fide residence at the time of conviction or to such other place within the United States as may be authorized by the Attorney General; expenses of interment or transporting remains of deceased inmates to their homes in the United States; maintenance and repair of passenger-carrying vehicles; traveling expenses of institution officials and employees when traveling on official duty, including expenses, in an amount not to exceed \$750 for each institution of attendance at meetings concerned with the work of the several institutions when authorized in writing by the Attorney General, and including expenses incurred in pursuing and identifying escaped inmates; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; packing, crating, drayage, and transportation of household effects, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and uniforms for the guard force, when specifically authorized by the Attorney General; rewards for the capture of escaped inmates; newspapers, books, and periodicals; firearms and ammunition; tobacco for inmates; and the purchase and exchange of farm products and livestock, when authorized by the Attorney General: *Provided*, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

*Provide.*  
Prison commis-  
saries.

Medical and hos-  
pital service.

Care, maintenance,  
etc.

#### MEDICAL AND HOSPITAL SERVICE

Medical and hospital service: For medical relief for, and incident to the care and maintenance of, inmates of penal and correctional institutions, including personal services in the District of Columbia and elsewhere, medical, surgical, and hospital supplies, materials, equipment, and appliances, together with appliances necessary for patients, \$563,040, which amount, in the discretion of the Attorney General, may be transferred to the Public Health Service for direct expenditure under the laws, appropriations, and regulations governing the Public Health Service.

Leavenworth, Kans.

United States penitentiary, Leavenworth, Kansas: For the United States penitentiary at Leavenworth, Kansas, including not to exceed \$424,120 for salaries and wages of all officers and employees, \$953,370.

United States penitentiary annex, Leavenworth, Kansas: For the United States penitentiary annex at Leavenworth, Kansas, including not to exceed \$302,460 for salaries and wages of all officers and employees, \$601,540.

Atlanta, Ga.

United States penitentiary<sup>1</sup>, Atlanta, Georgia: For the United States penitentiary at Atlanta, Georgia, including not to exceed \$403,360 for salaries and wages of all officers and employees, \$932,610.

<sup>1</sup> So in original.

United States penitentiary, McNeil Island, Washington: For the United States penitentiary at McNeil Island, Washington, including not to exceed \$258,480 for salaries and wages of all officers and employees, \$513,980.

McNeil Island,  
Wash.

Construction and repair: For construction and repair of buildings, including (1) extension of existing facilities, \$27,000, and (2) development of island area, \$110,000, including the purchase and installation of machinery and equipment and all expenses incident thereto, \$137,000, to be available immediately and to remain available until expended and to be expended so as to give the maximum amount of employment to inmates of the institution: *Provided*, That the ultimate cost of the project for development of the island area shall not exceed \$800,000.

Construction, etc.

*Proviso.*  
Cost limitation.

United States Northeastern Penitentiary: For the United States penitentiary in the Northeast, including not to exceed \$391,510 for salaries and wages of all officers and employees, and including the purchase of one passenger-carrying automobile, \$734,390.

Northeastern Peni-  
tentiary.

United States Penitentiary, Alcatraz Island, California: For the United States Penitentiary at Alcatraz Island, California, including not to exceed \$161,960 for salaries and wages, of all officers and employees, \$305,600.

Alcatraz Island,  
Calif.

Federal Industrial Institution for Women, Alderson, West Virginia: For the Federal Industrial Institution for Women at Alderson, West Virginia, including not to exceed \$139,480 for salaries and wages of all officers and employees, \$273,900.

Federal Industrial  
Institution for Wom-  
en, Alderson, W. Va.

United States Industrial Reformatory, Chillicothe, Ohio: For the United States Industrial Reformatory at Chillicothe, Ohio, including not to exceed \$352,560 for salaries and wages of all officers and employees, \$761,360.

Industrial Reforma-  
tory, Chillicothe,  
Ohio.

United States Southwestern Reformatory: For the United States Southwestern Reformatory, including not to exceed \$284,090 for salaries and wages of all officers and employees, \$514,040.

Southwestern Re-  
formatory.

United States Hospital for Defective Delinquents: For the United States Hospital for Defective Delinquents, including not to exceed \$153,920 for salaries and wages of all officers and employees, and including the purchase of one passenger-carrying automobile, \$341,000.

Hospital for Defec-  
tive Delinquents.

Federal jails: For maintenance and operation of Federal jails, including not to exceed \$455,000 for salaries and wages of all officers and employees, \$1,023,465.

Federal jails.

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the purchase of four passenger-carrying automobiles and the maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus and four passenger-carrying automobiles, to be expended so as to give the maximum amount of employment to prisoners, \$376,440: *Provided*, That reimbursements from this appropriation made to the War or other departments for supplies or subsistence shall be at the net contract or invoice price notwithstanding the provisions of any other Act.

Prison camps, con-  
struction, etc.

Maintenance.

*Proviso.*  
Reimbursements.

Federal Reformatory Camp, Petersburg, Virginia: For the Federal Reformatory Camp at Petersburg, Virginia, including not to exceed \$133,640 for salaries and wages of all officers and employees, \$274,000.

Federal Reforma-  
tory Camp, Peters-  
burg, Va.

Not to exceed 10 per centum of any of the foregoing appropriations under the general heading "Penal and Correctional Institutions" (except those for "Medical and hospital services", "Buildings

Transfer of appro-  
priations authorized.

	and equipment", and "Construction and repair, United States penitentiary, McNeil Island, Washington") may be transferred, with the approval of the Director of the Bureau of the Budget, to any appropriation or appropriations from which transfers are authorized to be made by this paragraph, but no appropriation shall be increased by more than 10 per centum thereby and no transfer shall be effected for the payment of personnel in any such institution.
Restriction.	
Buildings and equipment, public works. Prison officers' dwellings.	Buildings and equipment, public works: For extensions to existing facilities and not to exceed \$50,000 for construction of dwellings for prison officers at existing institutions, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, \$280,000.
Construction, designated jails.	Buildings and equipment, public works: For completion of construction of the Federal jails at Los Angeles, California, Sandstone, Minnesota, and Tallahassee, Florida, \$1,100,000 to be immediately available and to remain available until expended.
National Training School for Boys, D. C.	National Training School for Boys, Washington, District of Columbia: For the National Training School for Boys, Washington, District of Columbia, including expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial and including not to exceed \$114,000 for salaries and wages of all officers and employees, \$238,000.
Buildings and equipment.	Buildings and equipment: For alterations of and repairs to buildings, including the purchase and installation of machinery and equipment, and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institution, \$21,540.
Probation system, United States courts. 46 Stat. 503. 18 U. S. C. § 726.	Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (U. S. C., title 18, sec. 726), \$584,500: <i>Provided</i> , That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of \$2,800 per annum: <i>Provided further</i> , That no part of any appropriation in this Act shall be used to defray the salary or expenses of any probation officer who does not comply with the official orders, regulations, and probation standards promulgated by the Attorney General.
Proviso. Salary restriction.	
Conditions imposed.	
Support of prisoners.	Support of prisoners: For support of United States prisoners, in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (U. S. C., title 18, sec. 753c, 753d); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks; \$2,000,000.
46 Stat. 326. 18 U. S. C. §§ 753c, 753d.	
Jurors and witnesses. 47 Stat. 413. Post, p. 647.	Section 323 of part II of the Legislative Appropriation Act, approved June 30, 1932, except so much thereof as suspends the per diem for expenses of subsistence for witnesses, is hereby con-

tinued in full force and effect during the fiscal year ending June 30, 1938; and for the purpose of making such section applicable to such fiscal year the figures "1933" shall be read as "1938."

None of the money appropriated by this title shall be used to pay any witness, juror, or bailiff more than one per diem for any one day's service even though he serves in more than one of such three capacities on the same day.

This title may be cited as the "Department of Justice Appropriation Act, 1938."

Payments restrict-  
ed.

Short title.

## TITLE III—DEPARTMENT OF COMMERCE

Department of  
Commerce.

### OFFICE OF THE SECRETARY

Secretary's office.

**Salaries:** Secretary of Commerce, two Assistant Secretaries, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign minor routine official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the Department, \$352,000.

Salaries.

**Contingent expenses:** For contingent and miscellaneous expenses of the offices and bureaus of the Department, except the Patent Office, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, lawbooks, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding \$1,500); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motortrucks and bicycles; purchase, including exchange, of two motor-propelled passenger-carrying vehicles for the general use of the Department; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department); and motortrucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; and all other necessary miscellaneous items (not exceeding \$50 for any one item) not included in the foregoing, \$126,842, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales), as provided by law: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Contingent and mis-  
cellaneous expenses.

Vehicles, etc.

*Proviso.*  
Report to Congress.

**Traveling expenses:** For all necessary traveling expenses under the Department of Commerce, including all bureaus and divisions thereunder, and traveling expenses for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (U. S. C., title 33, sec. 765), but not including travel properly chargeable to the appropriation herein for "Transportation of families and effects of officers and employees and allowances for living quarters", Bureau of Foreign and Domestic Commerce, \$959,000.

Traveling expenses.  
*Post*, p. 762.

43 Stat. 1261.  
33 U. S. C. § 765.

Printing and binding.

*Proviso.*  
Detail of copy editors.

Bureau of Air Commerce.

Departmental salaries.

Air-navigation facilities.  
Establishment of aids, mail routes, etc.

*Proviso.*  
Contracts authorized.

Certificate of necessity.

Report to Congress.

Maintenance and operation.

Aircraft in commerce.  
Services and expenses.  
44 Stat. 568.  
49 U. S. C. §§ 171-184.

Purchase, etc., of airplanes, accessories, etc.

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office, \$500,000, of which \$10,000 shall be immediately available: *Provided*, That an amount not to exceed \$2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

#### BUREAU OF AIR COMMERCE

Departmental salaries: For personal services in the District of Columbia, \$628,000, of which \$5,000 shall be immediately available.

Establishment of air-navigation facilities: For the establishment of additional aids to air navigation, including the equipment of additional air-mail routes for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing aids to air navigation; for personal services in the field; purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and aircraft for official use in field work; special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, \$3,037,800, of which \$7,500 shall be immediately available: *Provided*, That in addition to the amount herein appropriated, the Secretary of Commerce may, prior to July 1, 1938, enter into contracts for the purchase, construction, and installation of additional air navigation aids not in excess of \$2,000,000 and, prior to July 1, 1939, \$2,000,000 additional may be obligated under contracts for such purchase, construction and installation of additional air navigation aids: *Provided further*, That the Secretary of Commerce before entering into any such contract shall personally certify that in his opinion it is necessary in the public interest: *Provided further*, That a full report of all such certifications and of all expenditures under this item shall be made to Congress on or before July 1, 1938.

Maintenance of air-navigation facilities: For all necessary expenses of operation, maintenance, and upkeep of existing aids to air navigation, including purchase, exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles and aircraft; purchase of special clothing, wearing apparel, and suitable equipment for aviation purposes (including rubber boots, snowshoes, and skis); books of reference and periodicals; \$5,698,700, of which \$58,500 shall be immediately available.

Aircraft in commerce: To carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes", as amended by the Act approved February 28, 1929, and the Acts approved June 19 and 20, 1934 (U. S. C., title 49, secs. 171-184), including personal services in the field; control of air traffic on civil airways at air terminals, including necessary equipment therefor; rent in the District of Columbia and elsewhere; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories, and repairs; purchase, including exchange (not to exceed \$5,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; replacement, by purchase or exchange, of aircraft (not to exceed \$200,000); purchase of aircraft motors, aircraft and motor accessories, and spare parts; maintenance, operation, and repair of aircraft and aircraft motors;

purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and other publications; and all other necessary expenses (not exceeding \$50 for any one item) not included in the foregoing; in all, \$1,582,000, of which \$11,000 shall be immediately available: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Safety and planning: Further to carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes", as amended by the Act approved February 28, 1929, and the Acts approved June 19 and June 20, 1934, through safety research relative to aviation equipment, personnel, and operation methods; including not to exceed \$75,000 for personal services in the District of Columbia and not to exceed \$80,000 for personal services in the field; including not to exceed \$1,000 for the purchase of books of reference and periodicals, reports, documents, plans, specifications, and manuscripts, \$292,000.

The appropriation under title III herein for traveling expenses shall be available in an amount not to exceed \$2,000 for expenses of attendance at meetings concerned with the promotion of civil aeronautics, and also expenses of illustrating the work of the Bureau of Air Commerce by showing of maps, charts, and graphs at such meetings when incurred on the written authority of the Secretary of Commerce and shall also be available for payments, at a rate of not to exceed 4 cents per mile, to maintenance and operating personnel, Bureau of Air Commerce, as reimbursement to such personnel of the expenses of the necessary travel in their personally owned automobiles in connection with the maintenance and operation of remotely controlled air-navigation facilities, all of which may be considered as being within the limits of the official post of duty of such personnel. Appropriations herein made for maintenance of air-navigation facilities and aircraft in commerce shall be available in a total amount of not to exceed \$15,000 for expenses of packing, crating, and transporting household effects of employees, in any one case not to exceed six thousand pounds, when transferred from one official station to another for permanent duty: *Provided*, That section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Bureau of Air Commerce when the aggregate amount involved does not exceed \$100: *Provided further*, That no part of the appropriations made herein for the Bureau of Air Commerce shall be used for any purpose not authorized by the Air Commerce Act of 1926 as amended.

#### BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Salaries and expenses, Washington Commerce Service: For the salary of the Director and other personal services in the District of Columbia, including the functions set forth under the Bureau of Foreign and Domestic Commerce, Department of Commerce, Appropriation Act for 1937, approved May 15, 1936, and for every necessary expense connected with collecting and compiling lists of foreign buyers and reports thereon; administration of the China Trade Act in the District of Columbia; collecting and compiling information regarding the restrictions and regulations of trade imposed by foreign countries; establishment, operation, and maintenance of

*Proviso.*  
Report to Congress.

Safety and planning.  
44 Stat. 568; 48 Stat. 1113.  
49 U. S. C. §§ 171-184.

Attendance at meetings.

Transporting household effects.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Use restricted.

Bureau of Foreign and Domestic Commerce.  
Salaries and expenses, Washington Commerce Service.

49 Stat. 1333.

China Trade Act, administration.

foreign trade zones in ports of entry of the United States, including contract stenographic reporting services and fees for mileage of witnesses; purchases for use in Washington or the field offices of furniture, equipment, stationery and supplies, typewriting, adding and computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair, telegraph and telephone service, accessories and repairs, books of reference, newspapers, periodicals, reports, documents, plans and specifications, freight, express, and drayage, streetcar fares, \$543,800: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

*Proviso.*  
Report to Congress.  
Domestic commerce and raw-materials investigations.

Domestic commerce and raw-materials investigations: For personal services of officers and employees to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, \$330,000.

District and cooperative office service.

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories, and repairs, purchase of maps, books of reference, and periodicals, reports, documents, plans, specifications, manuscripts, newspapers, both foreign and domestic (not exceeding \$300), and all other publications necessary for the promotion of the commercial interests of the United States, and all other necessary incidental expenses (not exceeding \$50 in any one case) not included in the foregoing, \$323,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

*Proviso.*  
Report to Congress.

Customs statistics.  
Expenses of collecting, etc.

Customs statistics: For all expenses necessary for the operation of the section of customs statistics transferred to the Department of Commerce from the Treasury Department by the Act approved January 5, 1923 (U. S. C., title 15, sec. 194) and expenses connected with the monthly publication of statistics showing the United States exports and imports by customs districts and destinations, including personal services in the District of Columbia (not to exceed \$120,000) and elsewhere; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including adding, typewriting, billing, computing, mimeographic, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; streetcar fare; and all other necessary incidental expenses (not exceeding \$50 in any one case) not included in the foregoing; \$403,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget, of which sum not to exceed \$20,000 shall be available immediately.

42 Stat. 1109.  
15 U. S. C. § 194.

*Proviso.*  
Report to Congress.  
Sum immediately available.

Export industries.  
Investigations and reports.

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries of the United States, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding and computing machines, accessories and repairs, books of reference and periodicals,

reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other necessary incidental expenses (not exceeding \$50 in any one case) connected therewith, \$520,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Salaries and expenses, Foreign Commerce Service: For the promotion and development of the foreign commerce of the United States and for carrying out the provisions of the Act approved March 3, 1927, as amended (U. S. C., title 15, secs. 197–197f, 198), to establish in the Bureau of Foreign and Domestic Commerce, Department of Commerce, a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at a rate not to exceed \$3,000 per annum for each person so employed, and to carry out the provisions of the Act entitled “China Trade Act, 1922”, including rent outside of the District of Columbia, the purchase of necessary furniture and equipment, loss by exchange, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference, and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (not exceeding \$2,500), ice and drinking water for office purposes, and for every necessary incidental expense (not exceeding \$50 in any one case) not included in the above. The purchase of supplies and equipment or the procurement of services in foreign countries may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed \$100 in any instance; Foreign Commerce Service officers are authorized to enter into leases for office quarters, payment in advance for rent, telephone, or other charges required by the customs of the country is hereby authorized; and for all other necessary expenses (not exceeding \$50 in any one case) not included in the foregoing, \$778,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Transportation of families and effects of officers and employees and allowances for living quarters: To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going and returning from their posts, or when traveling under the order of the Secretary of Commerce, and also for defraying the expenses of preparing and transporting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment; to enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the Act entitled “An Act to amend the Act entitled ‘An Act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes’, approved March 3, 1927”, approved April 12, 1930 (U. S. C., title 15, sec. 197F), to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and

*Proviso.*  
Report to Congress.

Foreign Commerce Service.

44 Stat. 1394.  
15 U. S. C. §§ 197–197f, 198.

Personal services.

China Trade Act, enforcement.  
15 U. S. C. §§ 141–162.

Supplies, etc.

R. S. § 3709.  
41 U. S. C. § 5.

*Proviso.*  
Report to Congress.

Transportation of families and effects of officers and employees.

Bringing home remains of officers, etc., dying abroad.

Allowances for living quarters.  
44 Stat. 1395; 46 Stat. 163.  
15 U. S. C. § 197b(7).



R. S. § 1765.  
5 U. S. C. § 70.  
*Proviso.*  
Maximum allow-  
ance.  
Attendance at meet-  
ings, etc.

within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), \$143,800: *Provided*, That the maximum allowance to any officer shall not exceed \$1,700.

The appropriation herein under title III for traveling expenses shall be available in an amount not to exceed \$5,000 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau of Foreign and Domestic Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

#### Census Bureau.

#### BUREAU OF THE CENSUS

Services and ex-  
penses.

For expenses for securing information for and compiling the census reports provided for by law, including personal services in the District of Columbia and elsewhere; compensation and expenses of enumerators, special agents, supervisors, supervisor's clerks, and interpreters in the District of Columbia and elsewhere; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside the District of Columbia; not to exceed \$2,500 for the employment by contract of personal services for the preparation of monographs on census subjects; not to exceed \$54,000 for constructing tabulating machines and repairs to such machinery and other personal services in connection therewith in the District of Columbia and elsewhere, and the purchase of necessary machinery and supplies, \$1,990,000 of which amount not to exceed \$1,530,000 may be expended for personal services in the District of Columbia, including not to exceed \$120,000 for temporary employees who may be appointed by the Director of the Census under civil-service rules, at per-diem rates to be fixed by him without regard to the provisions of the Classification Act of 1923, as amended, for the purpose of assisting in periodical inquiries.

Monographs.

Tabulating ma-  
chines.  
Services in the Dis-  
trict.

Temporary employ-  
ees.  
5 U. S. C. §§ 661-674.

Attendance at  
meetings, etc.

The appropriation under title III herein for traveling expenses shall be available for the Census Bureau, in an amount not to exceed \$500, for attendance at meetings concerned with the collection of statistics when incurred on the written authority of the Secretary of Commerce.

Social Security Act,  
salaries and expenses.  
42 U. S. C., Supp.  
II, ch. 7.

Salaries and expenses, Social Security Act: For salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, approved August 14, 1935 (U. S. C., Supp. I, title 42, ch. 7), including personal services in the District of Columbia; binding records; supplies; services; repair to, and replacement parts for, office and mechanical equipment for the reproduction of census records, \$25,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary of Commerce and the Social Security Board.

*Proviso.*  
Furnishing evidence  
for establishing age,  
etc.

Preparatory ex-  
penses, sixteenth cen-  
sus.

Expenses of the sixteenth census: For expenses preparatory to the taking of the sixteenth decennial census, including temporary employees who may be appointed by the Director of the Census under the civil-service rules for any period not to exceed June 30, 1942, at per-diem rates to be fixed by the Director of the Census without regard to the Classification Act of 1923, as amended; materials, supplies, equipment, services, and tabulation cards; \$50,000, of which amount not to exceed \$35,000 may be expended for personal services in the District of Columbia.

## BUREAU OF MARINE INSPECTION AND NAVIGATION

Departmental salaries: For the Director and other personal services in the District of Columbia, \$297,540.

Salaries and general expenses: For salaries of shipping commissioners, inspectors, and other personal services; to enable the Secretary of Commerce to provide and operate such motor boats and employ such persons (including temporary employees) as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats to prevent overcrowding, and to secure uniformity in the admeasurement of vessels; fees to witnesses; materials, supplies, equipment, and services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services in the District of Columbia and elsewhere; \$2,114,460, of which not to exceed \$50,000 may be used for the purchase by the Bureau of the boat "Waleda II": *Provided*, That \$90,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants, and United States shipping commissioners and their deputies and assistants, for which the United States receives reimbursement in accordance with the provisions of section 6 of the Act of May 27, 1936 (49 Stat., p. 1380).

Bureau of Marine Inspection and Navigation.  
Departmental salaries.

Salaries and general expenses.

"Waleda II", boat, purchase.

*Proviso.*  
Local inspectors, overtime pay.

49 Stat. 1385.  
46 U. S. C., Supp. II, § 382b.

## NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (U. S. C., title 5, secs. 591, 597; title 15, secs. 271-278), and of Acts supplementary thereto affecting the functions of the Bureau, and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", approved April 7, 1934, and for all necessary expenses, purchases, and personnel connected with administration and operation, testing, inspection and technical information service, research and development, and standards for commerce, including rental of laboratories in the field, communication service, transportation service; street-car fares not exceeding \$100, expenses of the visiting committee, attendance of American member at the meeting of the International Committee of Weights and Measures; compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots, and aprons; contingencies of all kinds; supplies for operation, maintenance, and repair of motortrucks and a passenger automobile for official use, including their exchange; purchases of equipment of all kinds, including its repair and exchange, including apparatus, machines, and tools, furniture, typewriters, adding machines, and other labor-saving devices, books, periodicals, and reference books, including their exchange when not needed for permanent use; trans-

Bureau of Standards.

Salaries and expenses.  
31 Stat. 1449.  
5 U. S. C. §§ 591, 597;  
15 U. S. C. §§ 271-278.

48 Stat. 552.

Attendance at meeting of International Committee of Weights and Measures.

Detailed Public Health Service officers.

Supplies, etc.

Equipment.

## Salaries.

lation of technical articles when required; salary of the director and other personal services in the District of Columbia and in the field, in accordance with the Classification Act of 1923, as amended.

## Operation, etc.

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings; \$272,000.

## Testing, inspection, and information service.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering, \$837,000.

## Research and development.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, \$701,000.

## Standards for commerce.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, \$110,000.

## Investigation of building materials.

Investigation of building materials: For personal services in the District of Columbia and elsewhere and all other necessary expenses for the first year of a two-year study of the properties and suitability of building materials, with particular reference to their use in low-cost housing, including the construction of such experimental structures as may be necessary for this purpose; and the publication and dissemination of the results thereof, \$198,000: *Provided*, That no part of this sum shall be used to duplicate any work now being performed by the Forest Products Laboratory of the Department of Agriculture.

 *proviso.*  
Work restriction.

## Cooperative work with departments, etc., on scientific investigations.

During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of

## Transfer of funds.

work for the department or establishment from which the transfer is made, including, where necessary, compensation for personal services in the District of Columbia and in the field.

The appropriation under title III herein for traveling expenses shall be available for the Bureau of Standards in an amount not to exceed \$3,000 for attendance at meetings concerned with standardization and research or either, when incurred on the written authority of the Secretary of Commerce.

Total, National Bureau of Standards, \$2,118,000, of which amount not to exceed \$1,875,000 may be expended for personal services in the District of Columbia.

Attendance at meetings.  
*Ante*, p. 283.

Total; services in the District.

#### BUREAU OF LIGHTHOUSES

Salaries: For the Commissioner and other personal services in the District of Columbia, \$125,000.

Bureau of Lighthouses.

Salaries.

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; construction of necessary outbuildings, including oil houses at light stations, at a cost not exceeding \$2,500 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding \$3,500 for packing, crating, and transporting personal household effects of employees, not to exceed six thousand pounds in any one case, when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, goggles, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all \$1,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; mileage; library books for light stations and vessels, and technical books and periodicals not exceeding \$750; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to

General expenses.  
Aids to navigation.  
*Post*, p. 763.

*Proviso.*  
Restoration limited to original purpose.  
Personal services.

Transportation of effects.

Rations, clothing, etc.

Vehicles.	lighthouse keepers at isolated stations, and the appropriation reimbursed; purchase (not to exceed \$5,000), exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; payment of rewards for the apprehension and conviction of persons found interfering with aids to navigation maintained by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (U. S. C., title 33, sec. 761); \$4,137,000.
Payment of rewards.	
35 Stat. 162. 33 U. S. C. § 761.	
Special projects, vessels, and aids to navigation.	Special projects, vessels, and aids to navigation: For constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service as may be specifically approved by the Secretary of Commerce, not to exceed \$796,000; and for establishing and improving aids to navigation and other works as may be specifically approved by the Secretary of Commerce, \$500,000; in all, \$1,296,000, which sums shall be available for all expenditures, directly relating to the respective projects which are approved by the Secretary of Commerce.
Availability.	
Keepers of lighthouses.	Keepers of lighthouses: For salaries of not exceeding one thousand four hundred lighthouse and fog-signal keepers and persons attending lights, exclusive of post lights, \$1,853,000.
Lighthouse vessels.	Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, \$2,226,000.
Superintendents, clerks, etc.	Superintendents, clerks, and so forth: For salaries of eighteen superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, \$729,900.
Retired pay.	Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, \$654,000.

#### Coast and Geodetic Survey.

#### COAST AND GEODETIC SURVEY

##### Expenses.

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motorcycles with side cars, including their exchange, not to exceed \$500, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on vessels, extra compensation at not to exceed \$1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents or tending seismographs, services of one tide observer in the District of Columbia at not to exceed \$1 per day, and compensation, not otherwise appropriated for, of persons employed in the field work, for operation, maintenance and repair of an airplane for photographic survey, and expenses incident to the execution of field work upon approval by the head of the Bureau, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

##### Field expenses. Atlantic and Gulf coasts.

Field expenses, Atlantic and Gulf coast: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water and one temporary engineer to develop

instruments for aerial photographic surveying, \$114,000: *Provided*, That not more than \$35,000 of this amount shall be expended on the coasts of said outlying islands and the Atlantic entrance to the Panama Canal;

*Proviso.*  
Outlying islands;  
Atlantic entrance to  
Panama Canal.

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, \$163,000;

Pacific coast.

Tides, currents, and so forth: For continuing researches in physical hydrography, relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, \$12,700;

Physical hydrog-  
raphy.

Coast Pilot: For compilation of the Coast Pilot, including the employment of such pilots and nautical experts, and stenographic help in the field and office as may be necessary for the same, \$4,200;

Coast Pilot.

Magnetic and seismological work: For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers, and instrument makers and stenographic services as may be necessary, \$58,500;

Magnetic and seis-  
mological work.

Federal, boundary, and State surveys: For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding \$10,000; determining field astronomic positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding \$2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomic observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, \$93,000, of which amount not to exceed \$35,440 may be expended for personal services in the District of Columbia;

Federal, boundary,  
and State surveys.

Miscellaneous objects: For the preparation or purchase of plans and specifications of vessels and the employment of such hull draftsmen in the field and office as may be necessary for the same; the reimbursement, under rules prescribed by the Secretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of \$500; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding \$3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper authority, \$3,600;

Ukiah and Gaithers-  
burg observatories.

Alaska.

Miscellaneous ob-  
jects.

Relief of distressed  
persons.

Vessels: For repair of vessels, exclusive of engineer's supplies and other ship chandlery, \$68,300;

Vessels, repair, etc.

Officers and men on vessels, pay.

Pay of officers and men on vessels: For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the Survey, to execute the work of the Survey herein provided for and authorized by law, \$580,000;

Commissioned officers, pay and allowances.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director, six hydrographic and geodetic engineers with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, \$815,000: *Provided*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director;

*Proviso.*  
Assistant director.

Office force.

Office expenses.

Office force: For personal services, \$572,000;

Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, replacement of one proving press, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to party expenses; telegrams; washing; office furniture, repairs; miscellaneous expenses, contingencies of all kinds, not exceeding \$90 for street-car fares, \$59,600;

Aeronautical charts.

Aeronautical charts: For compilation and printing of aeronautical charts, including personal services in the District of Columbia (not to exceed \$85,500), operation of an airplane for check flights, and aerial photographs, execution of ground surveys at air terminals, and the purchase of drafting, photographic, photolithographic, and printing supplies and equipment, \$105,500.

Subsistence restrictions.

Appropriations herein made for traveling expenses or for the Coast and Geodetic Survey shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now provided by law.

Attendance at meetings.  
*Ante*, p. 283.

The appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed \$150, for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce.

Bureau of Fisheries.

#### BUREAU OF FISHERIES

Commissioner's office.

Commissioner's office: For the Commissioner and other personal services in the District of Columbia, \$150,400.

Propagation of food fishes.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, acquisition, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars and not to exceed \$15,000 for purchase of trucks for fish distribution; maintenance, repair, and operation of motor-propelled passenger-carrying

vehicles for official use in the field; purchase of equipment (including rubber boots and oilskins), and apparatus; contingent expenses; pay of permanent employees not to exceed \$387,030; temporary labor; not to exceed \$10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, and not to exceed \$10,000 for the purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, of which not to exceed \$5,000 may be expended for personal services in the District of Columbia, \$929,000, including not to exceed \$260,000 to establish or commence the establishment of those stations authorized by the Act approved May 21, 1930 (46 Stat. 371), for which the need is most urgent, and for the further development of stations heretofore established pursuant to the provisions of said Act, including the acquisition of necessary land, construction of buildings and ponds, water supply, improvements to grounds, purchase of equipment, and all other necessary expenses.

**Maintenance of vessels:** For maintenance and operation of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, temporary employees, and all other necessary expenses in connection therewith, including not to exceed \$750 for the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, \$168,000, of which not to exceed \$13,460 may be expended for pay of officers and employees of vessels of the Atlantic coast, and not to exceed \$75,000 for pay of officers and crews of vessels for the Alaska Fisheries Service.

**Commutation of rations** (not to exceed \$1 per day) may be paid to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1938 under regulations prescribed by the Secretary of Commerce.

**Inquiry respecting food fishes:** For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches and fishways, in the interests of fish culture and the fishery industries, including pay of permanent employees not to exceed \$179,000; temporary employees, maintenance, repair, improvement, equipment, and operation of biological stations, preparation of reports, and not to exceed \$500 for rent of suitable quarters in the District of Columbia for laboratory and storage purposes, \$262,000.

**Fishery industries:** For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, and to enable the Secretary of Commerce to execute the functions imposed upon him by the Act entitled "An Act authorizing associations of producers of aquatic products", approved June 25, 1934 (48 Stat., p. 1213), including pay of permanent employees not to exceed \$60,000 of which amount not exceeding \$8,620 may be expended for personal services in the District of Columbia, compensation of temporary employees, preparation of reports, contract stenographic reporting services, temporary employees in the District of Columbia not to exceed \$2,600, and all other necessary expenses (not exceeding \$50 in any one case) in connection therewith, including the purchase (not to exceed \$1,100), exchange, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles for official use in the

Permanent employees, pay; limitation.

Establishing stations.

46 Stat. 371.

Maintenance of vessels.

Allotment for Atlantic coast and Alaska Fisheries Service.

Commutation of rations.

Food fishes inquiry.

Fishery industries. Statistical studies.

Cooperative associations of producers of aquatic products.

48 Stat. 1213.  
15 U. S. C. § 521.



*Proviso.*  
Report to Congress.

field work of the Bureau of Fisheries, \$73,600: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Fishery market  
news service.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, information on market supply and demand, commercial movement, location, disposition, and market prices of fishery products, with or without cooperation with any department or agency of the United States, or any State or Territory, or subdivision thereof, compensation of temporary employees, purchase of equipment and supplies, travel and preparation of reports, printing and binding, and all other necessary expenses (not exceeding \$50 in any one case) connected therewith, \$75,000, including pay of permanent employees, of which not to exceed \$8,000 may be expended for personal services in the District of Columbia: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

*Proviso.*  
Report to Congress.

Alaska, general serv-  
ice.  
Seal fisheries.

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; not exceeding \$20,000 for construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, subsistence of agents and other employees while on said islands, hire and maintenance of vessels, purchase of sea otters, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (U. S. C., title 16, secs. 631-658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed \$69,900, contract stenographic reporting service, hire of boats, employment of temporary labor, and all other necessary expenses (not exceeding \$50 in any one case) connected therewith, \$274,000, of which \$100,000 shall be available immediately: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

36 Stat. 326.  
16 U. S. C. §§ 631-  
658.

*Proviso.*  
Report to Congress.

Black-bass law, en-  
forcement.  
44 Stat. 576; 46 Stat.  
845.  
16 U. S. C. §§ 851-  
856.

Enforcement of black-bass law: To enable the Secretary of Commerce to carry into effect the Act entitled "An Act to amend the Act entitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926" (U. S. C., title 16, secs. 851-856), approved July 2, 1930 (46 Stat., pp. 845-847), \$13,500, of which not to exceed \$7,400 may be expended for personal services in the District of Columbia.

Mississippi Wild  
Life and Fish Refuge.  
Construction, main-  
tenance, etc.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved June 7, 1924 (U. S. C., title 16, secs. 721-731), \$17,900.

43 Stat. 650.  
16 U. S. C. §§ 721-  
731.

Whaling Treaty  
Act, expenses under.  
49 Stat. 1246.  
16 U. S. C., Supp.  
II, §§ 901-915.

Whaling Treaty Act: To enable the Secretary of Commerce to execute the functions imposed upon him by "The Whaling Treaty Act", approved May 1, 1936 (49 Stat. p. 1246), preparation of reports, and all other necessary expenses, \$3,600, of which not to exceed \$3,200 may be expended for personal services in the District of Columbia.

Attendance at meet-  
ings.

The appropriation herein under title III for traveling expenses shall be available, in an amount not to exceed \$750, for expenses of attendance at meetings concerned with the work of the Bureau of Fisheries when incurred on the written authority of the Secretary of Commerce.

## PATENT OFFICE

**Salaries:** For the Commissioner of Patents and other personal services in the District of Columbia, \$3,380,000: *Provided*, That of the amount herein appropriated not to exceed \$25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at \$4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

**Photolithographing:** For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, \$190,000.

The headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

**Miscellaneous expenses:** For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture and filing cases; for investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents and for other contingent and miscellaneous expenses of the Patent Office, \$47,000.

**Printing and binding:** For printing the weekly issue of patents, designs, trade marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$890,000; for miscellaneous printing and binding, \$75,000; in all, \$965,000.

The Appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed \$500, for expenses of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce.

This title may be cited as the "Department of Commerce Appropriation Act, 1938".

## TITLE IV—DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

**Salaries:** Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, \$323,500: *Provided*, That persons (not exceeding ten in number) now employed in the determination of wages pursuant to the provisions of the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935, may be continued in such employment and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations.

**Salaries and expenses, Division of Labor Standards:** For salaries and expenses in connection with the promotion of health, safety, employment, stabilization, and amicable industrial relations for

Patent Office.

Salaries, Commissioner and office personnel.  
*Proviso.*  
Temporary typists.

Photolithographing.

Multigraphed headings.

Miscellaneous expenses.

Printing and binding.

Attendance at meetings.

Short title.

Department of Labor.  
Office of the Secretary.  
Salaries.

*Proviso.*  
Personnel determining wage rates retained.  
49 Stat. 1011.  
40 U. S. C., Supp. II, §§ 276a-276a-6.

Division of Labor Standards.  
*Post*, p. 767.

labor and industry, \$135,400, of which amount not to exceed \$90,000 may be expended for personal services in the District of Columbia.

Attendance at conferences, etc.

The appropriation under title IV for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division of Labor Standards with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

Contingent expenses.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, street-car fares not exceeding \$400; purchase, exchange, maintenance, and repair of motorcycles and motor trucks; purchase of a passenger-carrying automobile for the general use of the Department and maintenance, operation, and repair of two motor-propelled passenger-carrying vehicles, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed \$1,200, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase and exchange of law books, books of reference, newspapers and periodicals, and, when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$4,500; contract stenographic services; all other necessary miscellaneous expenses (not exceeding \$50 in any one case) not included in the foregoing; and not to exceed \$25,000 for purchase of certain supplies for the Immigration and Naturalization Service; in all, \$115,100: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of \$100: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Report to Congress.

Traveling expenses.  
*Post*, p. 767.

Printing and binding.  
*Post*, p. 767.

Commissioners of conciliation.  
37 Stat. 738.  
5 U. S. C. § 619.

*Proviso.*  
Continuance of employment.

International Labor Organization, Geneva.  
Liaison with; expenses.  
48 Stat. 1182.

Traveling expenses: For all traveling expenses, except travel expenses incident to the deportation of aliens, under the Department of Labor, including all bureaus and divisions thereunder, \$666,900.

Printing and binding: For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$250,000.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (U. S. C., title 5, sec. 611) and to appoint commissioners of conciliation, telegraph and telephone service, and not to exceed \$80,000 for personal services in the District of Columbia, \$273,000: *Provided*, That persons now employed in such conciliation work pursuant to authority contained under this head in the Second Deficiency Appropriation Act, fiscal year 1935, may be continued in such employment and paid from the amount herein appropriated.

Liaison with the International Labor Organization, Geneva, Switzerland, salaries and expenses: For a United States Labor Commissioner and other personal services in Geneva, Switzerland; compensation of interpreters, translators, and porters; transportation of

employees, their families, and effects, in going to and returning from foreign posts; rent, heat, light, and fuel; hire, maintenance, and operation of motor-propelled, passenger-carrying vehicles; purchase and exchange of foreign and domestic books, periodicals, and newspapers; purchase of furniture, stationery, and supplies; printing and binding; postage; telephone and other similar expenses, for which payment may be made in advance; necessary technical or special investigations in connection with matters falling within the scope of the International Labor Organization; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed \$1,700 for any person, and contingent and such other expenses in the United States and elsewhere as the Secretary of Labor may deem necessary, \$21,000.

Division of Public Contracts, salaries and expenses: For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the "Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat., p. 2036), including supplies, stationery, printing and binding, telephone service, telegrams, furniture, office equipment, contract stenographic reporting services, and other necessary expenses, \$315,000.

Printing and binding.

Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

Division of Public Contracts.  
Salaries and expenses.  
49 Stat. 2036.  
41 U. S. C., Supp. II, §§ 35-45.

#### BUREAU OF LABOR STATISTICS

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers, and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau, \$784,000, of which amount not to exceed \$658,000 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

The appropriation for traveling expenses in title IV shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

Bureau of Labor Statistics.

Salaries and expenses.

Attendance at meetings.

#### IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses: For enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; salaries, and other expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintenance, transportation and traveling expenses incident to the deportation and exclusion of aliens and persons subject to the Chinese exclusion laws, as authorized by law, in the United States and to, through, or in foreign countries; purchase of supplies and equipment, including alterations and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; arms, ammunition and accessories; cost of reports of decisions of the Federal courts and digests thereof for official use; verifications of legal papers; refunding of head tax, maintenance bills, and immigration fines, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpoenaed on behalf of the United States, and for all other expenses necessary to enforce said laws; \$9,586,600, all to be expended under the direction of the Secretary

Immigration and Naturalization Service.  
Salaries and expenses.

Deportation, etc., of aliens.

Vehicles.

Witness fees, etc.

Commissioner, and other services in the District.

*Provisos.*  
Vehicles.

Privately-owned horses.

Allowance for living quarters.

46 Stat. 818.  
5 U. S. C. § 118a.  
Overtime services of inspectors, etc.

46 Stat. 1467.  
8 U. S. C. §§ 109a, 109b.  
Pay of assistants to clerks of courts forbidden.

Payment of rewards.

Contract laborers.

39 Stat. 893.  
8 U. S. C. § 109.

41 Stat. 68.  
18 U. S. C. § 201.

Immigration stations.

Attendance at meetings.

Children's Bureau.

Salaries and expenses.  
Investigations, etc.

of Labor, of which amount not to exceed \$555,000 may be expended for the salary of the Commissioner of Immigration and Naturalization and other personal services in the District of Columbia, including services of persons authorized by law to be detailed there for duty: *Provided*, That not to exceed \$45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: *Provided further*, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia, whose salaries are payable from this appropriation, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: *Provided further*, That not to exceed \$36,000 of the total amount herein appropriated shall be available for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed \$1,700 for any person: *Provided further*, That \$125,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., title 8, secs. 109a and 109b): *Provided further*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts: *Provided further*, That not to exceed \$10,000 of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws: *Provided further*, That notwithstanding the provisions of the Act of February 5, 1917 (U. S. C., title 8, sec. 109), authorizing the Secretary of Labor to draw annually from the appropriations for the enforcement of the laws regulating the immigration of aliens into the United States, \$200,000 or so much thereof as may be necessary to enforce the law excluding contract laborers and induced and assisted immigrants, not to exceed \$95,000 of the sum herein appropriated may be expended for such purposes, and such expenditure shall be made in strict compliance with the provisions of the Act of July 11, 1919 (U. S. C., title 18, sec. 201).

Immigration stations: For remodeling, repairing (including repairs to the ferryboat Ellis Island), renovating buildings, and purchase of equipment, \$100,000.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed \$400 for expenses of attendance at meetings concerned with the work of the Bureau of Immigration and Naturalization when incurred on the written authority of the Secretary of Labor.

#### CHILDREN'S BUREAU

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, \$363,500, of which amount not to exceed \$313,500 may be expended for personal services in the District of Columbia.

## MATERNAL AND CHILD WELFARE

Salaries and expenses: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, including personal services, rentals, repairs, and alterations to buildings, in the District of Columbia and elsewhere; printing and binding; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings, \$306,000.

In the administration of title V of the Social Security Act for the fiscal year 1938, payments to States for any quarter of the fiscal year 1938 under parts 1 and 2 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Chief of the Children's Bureau for approval.

Maternal and child welfare.

Salaries and expenses.

49 Stat. 629.  
42 U. S. C., Supp. II, § 701.

Social Security Act.  
Payments under State plans.

## GRANTS TO STATES FOR MATERNAL AND CHILD HEALTH SERVICES

Grants to States for maternal and child health services, Children's Bureau: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (49 Stat. 629-631), \$3,700,000, to be available immediately: *Provided*, That in carrying out such part 1, the allotments to States and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of \$3,800,000 for all States (as defined in such Act): *Provided further*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Grants to States for maternal and child health services.  
49 Stat. 629.

*Proviso.*  
Basis of allotments, 1938.

Supplemental aid not included.  
49 Stat. 630.

## GRANTS TO STATES FOR SERVICES FOR CRIPPLED CHILDREN

Grants to States for services for crippled children, Children's Bureau: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (49 Stat. 631-633), \$2,800,000, to be available immediately: *Provided*, That in carrying out such part 2, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of \$2,850,000 for all States.

Services for crippled children, grants to States.

49 Stat. 631.

*Proviso.*  
Basis of allotments, 1938.

## GRANTS TO STATES FOR CHILD-WELFARE SERVICES

Grants to States for child-welfare services, Children's Bureau: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (49 Stat. 633), \$1,475,000, to be available immediately: *Provided*, That in carrying out such part 3, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of \$1,500,000 for all States.

Child welfare services, grants to States.  
49 Stat. 633.

*Proviso.*  
Basis of allotments, 1938.

The appropriation under title IV for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the administration of title

Attendance at conferences.  
49 Stat. 627.

49 Stat. 629.

V, parts 1, 2, and 3, of the Social Security Act when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also, in an amount not to exceed \$5,000 for expenses of attendance at meetings related to the work of the Children's Bureau when incurred on the written authority of the Secretary of Labor.

Women's Bureau.

WOMEN'S BUREAU

Salaries and expenses.  
41 Stat. 987.  
29 U. S. C. §§ 11-16.

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (U. S. C., title 29, secs. 11-16), including personal services in the District of Columbia, not to exceed \$134,500; purchase of material for reports and educational exhibits, \$136,500.

Attendance at meetings.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

Employment Service.

UNITED STATES EMPLOYMENT SERVICE

Administrative expenses.

48 Stat. 113.  
29 U. S. C. §§ 49-49l.

For all administrative expenses, including the Veterans' Placement Service, the Farm Placement Service, and the District of Columbia Public Employment Center, in carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (U. S. C., title 29, secs. 49-49l); personal services and rent in the District of Columbia and elsewhere; law books, books of reference, newspapers and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, \$777,000, including not to exceed \$210,000 for personal services in the Department in the District of Columbia.

Payment to States.

*Provisos.*  
Basis of apportionments, 1938.  
Accounting.

For payment to the several States in accordance with the provisions of the said Act of June 6, 1933 (U. S. C., title 29, secs. 49-49l), as amended, \$1,500,000: *Provided*, That apportionments for the fiscal year 1938 shall be on the basis of a total apportionment to all States of \$3,000,000: *Provided further*, That amounts herein and hereafter appropriated, together with the unexpended balances of amounts heretofore appropriated, for payment to the several States in accordance with said Act of June 6, 1933, as amended, shall constitute one fund to remain available until expended, and the unused balances of amounts apportioned to the several States for the fiscal year 1936 for establishing and maintaining public employment offices shall be reappropriated among all the States, in accordance with said Act of June 6, 1933, as amended, without regard to the sufficiency thereof of said fund.

Use of unused balances.

Attendance at meetings.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed \$4,000 for expenses of attendance at meetings concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

Short title.

This title may be cited as the "Department of Labor Appropriation Act, 1938".

Payment forbidden persons after nomination rejected by Senate.

SEC. 2. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Approved, June 16, 1937.

## [CHAPTER 361]

## AN ACT

To further extend the period of time during which final proof may be offered by homestead and desert-land entrymen.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, as amended, is amended by striking out "December 31, 1935" and inserting in lieu thereof "December 31, 1936".

Approved, June 16, 1937.

June 16, 1937  
[S. 329]  
[Public, No. 154]

Homestead, etc.,  
entrymen.  
Time extended for  
offering final proof.  
47 Stat. 153; 49 Stat.  
504.

## [CHAPTER 362]

## AN ACT

To expedite the dispatch of vessels from certain ports of call.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to expedite the dispatch of vessels carrying passengers operating on regular schedules and arriving at night or on a Sunday or a holiday at a port in the United States at which such vessel is required by law to report arrival and make entry and from which it is required to obtain a clearance, the collector of customs, or any deputy collector of customs designated by him, if the vessel departs during the same night, Sunday, or holiday on which it arrives may, under such regulations as may be prescribed jointly by the Secretary of Commerce and the Secretary of the Treasury, receive the report of arrival and entry of such vessel from and give clearance for such vessel to the master or other proper officer thereof on board such vessel: *Provided*, That bond, as prescribed in section 451 of the Tariff Act of 1930, is given to secure reimbursement to the Government for the compensation of, and expenses incurred by, such customs officers in performing such services, who shall be entitled to rates of compensation fixed on the same basis and payable in the same manner and upon the same terms and conditions as in the case of customs officers and employees assigned to lading or unlading at night or on Sunday or a holiday.

Approved, June 16, 1937.

June 16, 1937  
[H. R. 6438]  
[Public, No. 155]

Customs.  
Dispatch of vessels  
from certain ports of  
call at night, on Sun-  
days, etc.

Clearance.

*Proviso.*  
Bond required.  
46 Stat. 715.  
19 U. S. C. § 1451.

## [CHAPTER 364]

## JOINT RESOLUTION

Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Olmedo Alfaro, a citizen of Ecuador.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to permit Olmedo Alfaro, a citizen of Ecuador, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and the said Olmedo Alfaro shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that he shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *Provided further*, That in the case of said Olmedo Alfaro the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

Approved, June 18, 1937.

June 18, 1937  
[H. J. Res. 335]  
[Pub. Res., No. 44]

Olmedo Alfaro, a  
citizen of Ecuador.  
Admission to U. S.  
Military Academy.

*Provisos.*  
No expense.  
Conditions.

Waiver of oath, etc.,  
requirement.  
R. S. §§ 1320, 1321.  
10 U. S. C. §§ 1099,  
1101.



## [CHAPTER 367]

## AN ACT

To provide for the manner of inflicting the punishment of death.

June 19, 1937  
[H. R. 2705]  
[Public, No. 156]

Criminal Code,  
amendment.  
18 U. S. C. § 542.

Death penalty;  
State law to govern  
manner of infliction.  
Use of local facilities,  
etc.

Where State has no  
provision for infliction  
of death penalty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 323 of the Criminal Code of the United States (U. S. C., title 18, sec. 542) be, and the same is hereby, amended to read as follows:

"SEC. 323. The manner of inflicting the punishment of death shall be the manner prescribed by the laws of the State within which the sentence is imposed. The United States marshal charged with the execution of the sentence may use available State or local facilities and the services of an appropriate State or local official or employ some other person for such purpose, and pay the cost thereof in an amount approved by the Attorney General. If the laws of the State within which sentence is imposed make no provision for the infliction of the penalty of death, then the court shall designate some other State in which such sentence shall be executed in the manner prescribed by the laws thereof."

Approved, June 19, 1937.

## [CHAPTER 368]

## AN ACT

To amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended; authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Savannah River.

June 19, 1937  
[H. R. 4213]  
[Public, No. 157]

Inland Waterways  
Corporation.  
43 Stat. 363.  
49 U. S. C. §§ 151-156.

Services and opera-  
tions extended to the  
Savannah River.

45 Stat. 979.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved June 3, 1924, as amended, be further amended by adding at the end thereof the following new section:

"SEC. 7. The Secretary of War is authorized to extend the services and operations of the Inland Waterways Corporation to the Savannah River, under the same terms and conditions as are prescribed for the extension of such services and operations to any tributary or connecting waterway of the Mississippi River in section 3 (b) of this Act, as amended by section 2 of the Act approved May 29, 1928 (45 Stat. 979)."

Approved, June 19, 1937.

## [CHAPTER 369]

## AN ACT

To amend the Federal Register Act.

June 19, 1937  
[H. R. 5721]  
[Public, No. 158]

Federal Register  
Act, amendment.  
49 Stat. 503.  
44 U. S. C., Supp.  
II, §§ 301-314.  
Codification of  
documents to be filed  
by Federal agencies  
with Administrative  
Committee.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Federal Register Act, approved July 26, 1935 (49 Stat. 500), is hereby amended to read as follows:

"SEC. 11. (a) On July 1, 1938, and on the same date of every fifth year thereafter, each agency of the Government shall have prepared and shall file with the Administrative Committee a complete codification of all documents which, in the opinion of the agency, have general applicability and legal effect and which have been issued or promulgated by such agency and are in force and effect and relied upon by the agency as authority for, or invoked or used by it in the

discharge of, any of its functions or activities on June 1, 1938. The Committee shall, within ninety days thereafter, report thereon to the President, who may authorize and direct the publication of such codification in special or supplemental editions of the Federal Register.

Report of Committee; publication of codification.

“(b) There is hereby established a Codification Board, which shall consist of six members: The Director of the Division of the Federal Register, chairman ex officio; three attorneys of the Department of Justice, designated by the Attorney General; and two attorneys of the Division of the Federal Register, designated by the Archivist. The Board shall supervise and coordinate the form, style, arrangement, and indexing of the codifications of the various agencies.

Codification Board; establishment, composition, etc.

“(c) The codified documents of the several agencies published in the supplemental edition of the Federal Register pursuant to the provisions of subsection (a) hereof, as amended by documents subsequently filed with the Division, and published in the daily issues of the Federal Register, shall be prima-facie evidence of the text of such documents and of the fact that they are in full force and effect on and after the date of publication thereof.

Codification to be prima-facie evidence of text, etc.

“(d) The Administrative Committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this section.”

Administrative regulations.

Approved, June 19, 1937.

## [CHAPTER 376]

### AN ACT

To amend the provisions of the pension laws for peace-time service to include Reserve officers and members of the Enlisted Reserves.

June 23, 1937  
[H. R. 2887]  
[Public, No. 159]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Veterans' Regulation 1 (a), part II, paragraph 1 (a), be amended to read as follows:*

Reserve officers and members of Enlisted Reserves.

“1. (a) For disability resulting from personal injury or disease contracted in line of duty or for aggravation of a preexisting injury or disease contracted or suffered in line of duty when such disability was incurred in or aggravated by active military or naval service other than in a period of war service as provided in part I, the United States will pay to any person thus disabled and who was honorably discharged from such period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, a pension as hereinafter provided, but no pension shall be paid if the disability is the result of the person's own misconduct: *Provided*, That active service, including service for training purposes, performed by a Reserve officer or member of the Enlisted Reserves of the United States Army, Navy, or Marine Corps, shall be considered as active military or naval service for the purpose of granting benefits under part II hereof, and it shall not be required that such Reserve officer or enlisted man shall have been discharged from the service. Pension under this paragraph shall not be paid concurrently with active duty pay or employees' compensation. Where a person who is eligible for pension hereunder is also eligible for the benefits of Employees' Compensation Act, he shall elect which benefit he shall receive. This amendment shall be effective June 15, 1933, but payment of pension hereunder shall be effective from the date of receipt in the Veterans' Administration of application therefor or the date of enactment of this amendment, whichever is the later.”

Provisions of pension laws for peace-time service extended to.

*Proviso.*  
Reserves in active service, including training, given a pensionable status.

Pension not paid concurrently with active duty pay, etc.

Choice where also eligible to disability compensation.

Effective date.

Approved, June 23, 1937.

## [CHAPTER 377]

## AN ACT

June 24, 1937

[S. 102]

[Public, No. 160]

To authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam.

Battle of Antietam.  
Coinage of 50-cent  
pieces commemorat-  
ing 75th anniversary  
of, authorized.

No Federal expense  
for dies, etc.

Date, issue, number,  
etc.

Disposition.

Coinage laws ap-  
plicable.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in commemoration of the seventy-fifth anniversary of the Battle of Antietam there shall be coined at one mint only of the United States to be designated by the Director of the Mint not to exceed fifty thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1937, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Washington County Historical Society of Hagerstown, Maryland, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such Washington County Historical Society of Hagerstown, Maryland, subject to the approval of the Director of the Mint, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 24, 1937.

## [CHAPTER 381]

## AN ACT

June 24, 1937

[S. 187]

[Public, No. 161]

Providing for the suspension of annual assessment work on mining claims held by location in the United States.

Public lands.  
Mining claims as-  
sessment work sus-  
pended, fiscal year  
1937.

Prorates.  
Claimant not ex-  
empt from Federal in-  
come tax, excluded.  
Notice to be filed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock meridian July 1, 1936, and ending at 12 o'clock meridian July 1, 1937: *Provided,* That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1936: *Provided further,* That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian July 1, 1937, a notice of his desire to hold said

mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1936: *Provided further*, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, nor to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Number of lode-mining claims limited.

Placer-mining claims.

Approved, June 24, 1937.

## [CHAPTER 382]

### AN ACT

To amend an Act entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935.

June 24, 1937  
[H. R. 7519]  
[Public, No. 162]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### PART I

That the Act of August 29, 1935, entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", be, and it is hereby, amended to read as follows:

Railroad Retirement Act of 1937.  
49 Stat. 967.  
45 U. S. C., Supp. II, §§ 215-228.

#### "DEFINITIONS

Definitions.

"SECTION 1. For the purposes of this Act—

"(a) The term 'employer' means any carrier (as defined in subsection (m) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however*, That the term 'employer' shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Board, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term 'employer' shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus, weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transpor-

"Employer."

*Proviso.*  
Street, interurban, or suburban electric railways.

tation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and National legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

"Employee."

"(b) The term 'employee' means (1) any individual in the service of one or more employers for compensation, (2) any individual who is in the employment relation to one or more employers, and (3) an employee representative. The term 'employee' shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after the enactment date. The term 'employee representative' means any officer or official representative of a railway labor organization other than a labor organization included in the term 'employer' as defined in section 1 (a) who before or after the enactment date was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

Service defined.

"(c) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided, however,* That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

*Proviso.*  
Place of employment.

Person in employment relation.

"(d) An individual is in the employment relation to an employer if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the employer: *Provided, however,* That an individual shall not be deemed to have been on the enactment date in the employment relation to an employer not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to the enactment date, he rendered service to it in the United States.

*Proviso.*  
Status of person employed within, for a business without United States.

"United States" defined.

"(e) The term 'United States', when used in a geographical sense, means the States, Alaska, Hawaii, and the District of Columbia.

"Years of service."

"(f) The term 'years of service' shall mean the number of years an individual as an employee shall have rendered service to one or more employers for compensation or received remuneration for time lost, and shall be computed in accordance with the provisions of section 3 (b): *Provided, however,* That where service prior to the enactment date may be included in the computation of years of service as provided in subdivision (1) of section 3 (b), it may be included as to service rendered to a person which was on the enactment date an employer, irrespective of whether, at the time such service was rendered, such person was an employer; and it may also be included as to service rendered to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which, on the enactment date, was a carrier as defined in subsection (m), irrespective of whether, at the time such service was rendered to such predecessor, it was an employer. Twelve calendar months, consecutive or otherwise, in each of which an employee has rendered such

*Proviso.*  
Service included.

service or received such wages for time lost, shall constitute a year of service. An ultimate fraction of six months or more shall be taken as one year. An ultimate fraction of less than six months shall be taken at its actual value.

“(g) The term ‘annuity’ means a monthly sum which is payable on the 1st day of each calendar month for the accrual during the preceding calendar month.

“(h) The term ‘compensation’ means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of any tax now or hereafter imposed with respect to the compensation of such employee.

“(i) The term ‘Board’ means the Railroad Retirement Board.

“(j) The term ‘enactment date’ means the 29th day of August 1935.

“(k) The term ‘company’ includes corporations, associations, and joint-stock companies.

“(l) The term ‘employee’ includes an officer of an employer.

“(m) The term ‘carrier’ means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act.

“(n) The term ‘person’ means an individual, a partnership, an association, a joint-stock company, or a corporation.

#### “ANNUITIES

“SEC. 2. (a) The following-described individuals, if they shall have been employees on or after the enactment date, shall, subject to the conditions set forth in subsections (b), (c), and (d), be eligible for annuities after they shall have ceased to render compensated service to any person, whether or not an employer as defined in section 1 (a) (but with the right to engage in other employment to the extent not prohibited by subsection (d)):

“1. Individuals who on or after the enactment date shall be sixty-five years of age or over.

“2. Individuals who on or after the enactment date shall be sixty years of age or over and (a) either have completed thirty years of service or (b) have become totally and permanently disabled for regular employment for hire, but the annuity of such individuals shall be reduced one one-hundred-and-eightieth for each calendar month that they are under age sixty-five when the annuity begins to accrue.

“3. Individuals, without regard to age, who on or after the enactment date are totally and permanently disabled for regular employment for hire and shall have completed thirty years of service.

“Such satisfactory proof of the permanent total disability and of the continuance of such disability until age sixty-five shall be made from time to time as may be prescribed by the Board. If the individual fails to comply with the requirements prescribed by the Board as to proof of the disability or the continuance of the disability until age sixty-five, his right to an annuity under subdivision 2 or subdivision 3 of this subsection by reason of such disability shall, except for good cause shown to the Board, cease, but without prejudice to his rights under subdivision 1 or 2 (a) of this subsection. If, prior to attaining age sixty-five, such an individual recovers and is no longer disabled for regular employment for hire, his annuity shall cease upon the last day of the month in which

“Annuity.”

“Compensation.”

Tips, etc.

“Board.”

“Enactment date.”

“Company.”

“Employee.”

“Carrier.”

“Person.”

Annuities.

Classes eligible.

Attaining 65 years.

Attaining 60 years and completing 30 years of service; total disability, etc.  
Reduction, under 65 years.

Total disability, after 30 years' service regardless of age.

Periodic examinations.

Discontinuance of annuity if employee fails to comply.

Annuity discontinued on recovery; reduction, if paid thereafter.

he so recovers and if after such recovery the individual is granted an annuity under subdivision 1 or 2 (a) of this subsection, the amount of such annuity shall be reduced on an actuarial basis to be determined by the Board so as to compensate for the annuity previously received under this subdivision.

Payment conditional upon reemployment.

"(b) An annuity shall be paid only if the applicant shall have relinquished such rights as he may have to return to the service of an employer and of the person by whom he was last employed; but this requirement shall not apply to the individuals mentioned in subdivision 2 (b) and subdivision 3 of subsection (a) prior to attaining age sixty-five.

Accrual of annuity.

"(c) An annuity shall begin to accrue as of a date to be specified in a written application (to be made in such manner and form as may be prescribed by the Board and to be signed by the individual entitled thereto), but—

"(1) not before the date following the last day of compensated service of the applicant, and

"(2) not more than sixty days before the filing of the application.

Payment in any month in which compensated service rendered.

"(d) No annuity shall be paid with respect to any month in which an individual in receipt of an annuity hereunder shall render compensated service to an employer or to the last person by whom he was employed prior to the date on which the annuity began to accrue. Individuals receiving annuities shall report to the Board immediately all such compensated service.

Report thereof.

#### "COMPUTATION OF ANNUITIES

Computation of annuities.

"SEC. 3. (a) The annuity shall be computed by multiplying an individual's 'years of service' by the following percentages of his 'monthly compensation': 2 per centum of the first \$50; 1½ per centum of the next \$100; and 1 per centum of the next \$150.

Determination of "years of service".

"(b) The 'years of service' of an individual shall be determined as follows:

"(1) In the case of an individual who was an employee on the enactment date, the years of service shall include all his service subsequent to December 31, 1936, and if the total number of such years is less than thirty, then the years of service shall also include his service prior to January 1, 1937, but not so as to make his total years of service exceed thirty: *Provided, however,* That with respect to any such individual who rendered service to any employer after January 1, 1937, and who on the enactment date was not an employee of an employer conducting the principal part of its business in the United States no greater proportion of his service rendered prior to January 1, 1937, shall be included in his 'years of service' than the proportion which his total compensation (including compensation in any month in excess of \$300) for service after January 1, 1937, rendered anywhere to an employer conducting the principal part of its business in the United States or rendered in the United States to any other employer bears to his total compensation (including compensation in any month in excess of \$300) for service rendered anywhere to an employer after January 1, 1937.

"(2) In all other cases, the years of service shall include only the service subsequent to December 31, 1936.

"(3) Where the years of service include only part of the service prior to January 1, 1937, the part included shall be taken in reverse order beginning with the last calendar month of such service.

*Provided.*  
Where principal part of business was outside United States.

Where principal part of business was within.

“(4) In no case shall the years of service include any service rendered after June 30, 1937, by an individual who is sixty-five years of age or over, except for the purpose of computing his monthly compensation as provided in subsection (c) of this section.

“(c) The ‘monthly compensation’ shall be the average compensation earned by an employee in calendar months included in his ‘years of service’, except (1) that with respect to service prior to January 1, 1937, the monthly compensation shall be the average compensation earned by an employee in calendar months included in his years of service in the years 1924–1931, and (2) that where service in the period 1924–1931 is, in the judgment of the Board, insufficient to constitute a fair and equitable basis for determining the monthly compensation for service prior to January 1, 1937, the Board shall determine the monthly compensation for such service in such manner as in its judgment shall be just and equitable. If the employee earned compensation after June 30, 1937, and after the last day of the month in which he attained age sixty-five, such compensation shall be disregarded if the result of taking such compensation into account would be to diminish his annuity. In computing the monthly compensation, no part of any month’s compensation in excess of \$300 shall be recognized.

“Monthly compensation,” computation of.

“(d) The annuity of an individual who shall have been an employee representative shall be determined in the same manner and with the same effect as if the employee organization by which he shall have been employed were an employer.

Annuity to employee representative.

“(e) If the individual was an employee when he attained age sixty-five and has completed twenty years of service, the minimum annuity payable to him shall be \$40 per month: *Provided, however*, That if the monthly compensation on which his annuity is based is less than \$50, his annuity shall be 80 per centum of such monthly compensation, except that if such 80 per centum is less than \$20, the annuity shall be \$20 or the same amount as the monthly compensation, whichever is less. In no case shall the value of the annuity be less than the value of the additional old-age benefit he would receive under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term ‘employment’ as defined therein.

Employee attaining 65 and with 20 years of service.

*Proviso.*  
Basis, if compensation less than \$50.

Minimum annuity.

49 Stat. 622.

“(f) Annuity payments due an individual but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 4; otherwise they shall be paid to the same individual or individuals who may be entitled to receive any death benefit that may be payable under the provisions of section 5.

Payments upon death.

“(g) No annuity shall accrue with respect to the calendar month in which an annuitant dies.

“(h) After an annuity has begun to accrue, it shall not be subject to recomputation on account of service rendered thereafter to an employer, except as provided in subdivision 3 of section 2 (a).

Recomputation on account of service rendered.

“(i) If an annuity is less than \$2.50, it may, in the discretion of the Board, be paid quarterly or in a lump sum equal to its computed value as determined by the Board.

If annuity less than \$2.50.

#### “JOINT AND SURVIVOR ANNUITY

“SEC. 4. An individual whose annuity shall not have begun to accrue may elect prior to January 1, 1938, or at least five years before the date on which his annuity begins to accrue, or upon furnishing proof of health satisfactory to the Board, to have the value of his annuity apply to the payment of a reduced annuity to him during life and

Joint and survivor annuity.



*Proviso.  
Marital, etc., pro-  
visions.*

an annuity after his death to his spouse during life equal to, or 75 per centum of, or 50 per centum of such reduced annuity. The amounts of the two annuities shall be such that their combined actuarial value as determined by the Board shall be the same as the actuarial value of the single-life annuity to which the individual would otherwise be entitled. Such election shall be irrevocable, except that it shall become inoperative if the individual or the spouse dies before the annuity begins to accrue or if the individual's marriage is dissolved or if the individual shall be granted an annuity under subdivision 3 of section 2 (a): *Provided, however,* That the individual may, if his marriage is dissolved before the date his annuity begins to accrue, or if his annuity under subdivision 3 of section 2 (a) ceases because of failure to make the required proof of disability, make a new election under the conditions stated in the first sentence of this subsection. The annuity of a spouse under this subsection shall begin to accrue on the first day of the calendar month in which the death of the individual occurs.

#### "DEATH BENEFITS

Death benefits.

"SEC. 5. The following benefits shall be paid with respect to the death of individuals who were employees after December 31, 1936:

"(a) If the deceased should not be survived by a widow or widower who is entitled to an annuity under an election made pursuant to the provisions of section 4, there shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 per centum of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments due the deceased but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the deceased, the death benefit shall be paid to the legal representative of the deceased.

"(b) If the deceased should be survived by a widow or widower entitled to an annuity under an election made pursuant to the provisions of section 4, there shall, on the death of the widow or widower, be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 per centum of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments actually made to the widow or widower under an election made pursuant to the provisions of section 4 and under the provisions of section 3 (f), plus the total of the annuity payments due the widow or widower but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the widow or widower, the death benefit shall be paid to the legal representative of the deceased.

"In computing the aggregate compensation for the purpose of this section, no part of any month's earnings in excess of \$300 shall be recognized.

*Pension or gratuity  
rolls of employers.*

*Pensions to indi-  
viduals on.*

#### "PENSIONS TO INDIVIDUALS ON PENSION OR GRATUITY ROLLS OF EMPLOYERS

"SEC. 6. (a) Beginning July 1, 1937, each individual then on the pension or gratuity roll of an employer by reason of his employment, who was on such roll on March 1, 1937, shall be paid on July 1, 1937,

and on the 1st day of each calendar month thereafter during his life, a pension at the same rate as the pension or gratuity granted to him by the employer without diminution by reason of a general reduction or readjustment made subsequent to December 31, 1930, and applicable to pensioners of the employer: *Provided, however, That no pension payable under this section shall exceed \$120 monthly: And provided further, That no individual on the pension or gratuity roll of an employer not conducting the principal part of its business in the United States shall be paid a pension under this section unless, in the judgment of the Board, he was, on March 1, 1937, carried on the pension or gratuity roll as a United States pensioner.*

*Proviso.  
Limitation.  
Where principal  
part of business is  
without United States.*

“(b) No individual covered by this section who was on July 1, 1937, eligible for an annuity under this Act or the Railroad Retirement Act of 1935, based in whole or in part on service rendered prior to January 1, 1937, shall receive a pension payment under this section subsequent to the payment due on October 1, 1937, or due on the 1st day of the month in which the application for an annuity of such individual has been awarded and certified by the Board, whichever of the two dates is earlier. The annuity claims of such individuals who receive pension payments under this section shall be adjudicated in the same manner and with the same effect as if no pension payments had been made: *Provided, however, That no such individual shall be entitled to receive both a pension under this section and an annuity under this Act or the Railroad Retirement Act of 1935, and in the event pension payments have been made to any such individual in any month in which such individual is entitled to an annuity under this Act or the Railroad Retirement Act of 1935, the difference between the amounts paid as pensions and the amounts due as annuities shall be adjusted in accordance with such rules and regulations as the Board may deem just and reasonable.*

*Persons eligible for  
annuities not to be  
carried as pensioners.*

*Adjudication.*

*Proviso.  
Double payments  
forbidden.*

*Adjustment of dif-  
ferences.*

“(c) The pension paid under this section shall not be considered to be in substitution for that part of the pension or gratuity from the employer which is in excess of a pension or gratuity at the rate of \$120 a month.

“SEC. 7. Nothing in this Act or the Railroad Retirement Act of 1935 shall be taken as restricting or discouraging payment by employers to retired employees of pensions or gratuities in addition to the annuities or pensions paid to such employees under such Acts, nor shall such Acts be taken as terminating any trust heretofore created for the payment of such pensions or gratuities.

*Additional pay-  
ments by employers.*

#### “CONCLUSIVENESS OF RETURNS OF COMPENSATION AND OF FAILURE TO MAKE RETURNS OF COMPENSATION

“SEC. 8. Employers shall file with the Board, in such manner and form and at such times as the Board by rules and regulations may prescribe, returns under oath of monthly compensation of employees, and, if the Board shall so require, shall furnish employees with statements of their monthly compensation as reported to the Board. Any such return shall be conclusive as to the amount of compensation earned by an employee during each month covered by the return, and the fact that no return was made of the compensation claimed to be earned by an employee during a particular calendar month shall be taken as conclusive that no compensation was earned by such employee during that month, unless the error in the amount of compensation returned in the one case, or the failure to make return of the compensation in the other case, is called to the attention of the Board within four years after the last date on which return of the compensation was required to be made.

*Conclusiveness of re-  
turns of compensation  
and of failure to make  
returns, etc.*

# "ERRONEOUS PAYMENTS

Erroneous payments.

"SEC. 9. (a) If the Board finds that at any time more or less than the correct amount of any annuity or pension has theretofore been paid to any individual under this Act or the Railroad Retirement Act of 1935, then, under regulations made by the Board, proper adjustments shall be made in connection with subsequent payments under such Acts to the same individual.

"(b) There shall be no recovery of payments of annuities, death benefits, or pensions from any person who, in the judgment of the Board, is without fault and if, in the judgment of the Board, such recovery would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

Retirement Board.

## "RETIREMENT BOARD

Personnel.

## "Personnel

Establishment as an independent agency.

Composition, terms of office, vacancies, etc.

Representation of employees and carriers on Board.

Chairman, term of office; qualifications.

Board vacancies.

Salary, expenses, etc.

"SEC. 10. (a) There is hereby established as an independent agency in the executive branch of the Government a Railroad Retirement Board, to be composed of three members appointed by the President, by and with the advice and consent of the Senate. Each member shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of the term and the terms of office of the members first taking office after the enactment date shall expire, as designated by the President, one at the end of two years, one at the end of three years, and one at the end of four years after the enactment date. One member shall be appointed from recommendations made by representatives of the employees and one member shall be appointed from recommendations made by representatives of carriers, in both cases as the President shall direct, so as to provide representation on the Board satisfactory to the largest number, respectively, of employees and carriers concerned. One member, who shall be the chairman of the Board, shall be appointed initially for a term of two years without recommendation by either carriers or employees and shall not be in the employment of or be pecuniarily or otherwise interested in any employer or organization of employees. Vacancies in the Board shall not impair the powers or affect the duties of the Board or of the remaining members of the Board, of whom a majority of those in office shall constitute a quorum, for the transaction of business. Each of said members shall receive a salary of \$10,000 per year, together with necessary traveling expenses and subsistence expenses, or per diem allowance in lieu thereof, while away from the principal office of the Board on official duties.

## "Duties

Duties and powers of Board.

Enforcement of laws; effect of decisions.

Awards to applicants entitled to annuity.

"(b) 1. The Board shall have and exercise all the duties and powers necessary to administer this Act and the Railroad Retirement Act of 1935. The Board shall take such steps as may be necessary to enforce such Acts and make awards and certify payments. Decisions by the Board upon issues of law and fact relating to pensions, annuities, or death benefits shall not be subject to review by any other administrative or accounting officer, agent, or employee of the United States.

"2. If the Board finds that an applicant is entitled to an annuity under the provisions of this Act or the Railroad Retirement Act of 1935 then the Board shall make an award fixing the amount of the annuity and shall certify the payment thereof as hereinafter provided; otherwise the application shall be denied.

"3. The Board shall from time to time certify to the Secretary of the Treasury the name and address of each individual entitled to receive a payment, the amount of such payment, and the time at which it should be made, and the Secretary of the Treasury through the Division of Disbursements of the Treasury Department, and prior to audit by the General Accounting Office, shall make payment in accordance with the certification by the Board.

Certification of those entitled to receive payments.

"4. The Board shall establish and promulgate rules and regulations to provide for the adjustment of all controversial matters arising in the administration of such Acts, with power as a Board or through any member or designated subordinate thereof, to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations in any matter involving annuities or other payments and shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities, and employ such individuals and provide for their compensation and expenses as may be necessary for the proper discharge of its functions. In the employment of such individuals under the civil service laws and rules the Board shall give preference over all others to individuals who have had experience in railroad service, if, in the judgment of the Board, they possess the qualifications necessary for the proper discharge of the duties of the positions to which they are to be appointed. All rules, regulations, or decisions of the Board shall require the approval of at least two members except as provided in subdivision 5 of this subsection and they shall be entered upon the records of the Board, which shall be a public record. Notice of a decision of the Board, or of an employee thereof, shall be communicated to the applicant in writing within thirty days after such decision shall have been made. The Board shall gather, keep, compile, and publish in convenient form such records and data as may be necessary to assure proper administration of such Acts. The Board shall have power to require all employers and employees and any officer, board, commission, or other agency of the United States to furnish such information and records as shall be necessary for the administration of such Acts. The several district courts of the United States and the District Court of the United States for the District of Columbia shall have jurisdiction upon suit by the Board to compel obedience to any order of the Board issued pursuant to this section. The orders, writs, and processes of the District Court of the United States for the District of Columbia in such suits may run and be served anywhere in the United States. The Board shall make an annual report to the President of the United States to be submitted to Congress. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Rules and regulations.

Approval required.

Records and data.

Authority to compel furnishing of information, etc.

Annual report.  
Witness fees.

Delegation of authority.

Proriso.  
Right of appeal.

"5. The Board is authorized to delegate to any of its employees the power to make decisions on applications for annuities or death benefits in accordance with rules and regulations prescribed by the Board: *Provided, however,* That any person aggrieved by a decision so made shall have the right to appeal to the Board.

#### "COURT JURISDICTION

"SEC. 11. An employee or other person aggrieved may apply to the district court of any district wherein the Board may have established an office or to the District Court of the United States for the District of Columbia to compel the Board (1) to set aside an action or decision of the Board claimed to be in violation of a legal right of the applicant or (2) to take action or to make a decision necessary for the enforcement of a legal right of the applicant. Such court

Court jurisdiction.

shall have jurisdiction to entertain such application and to grant appropriate relief. The decision of the Board with respect to an annuity, pension, or death benefit shall not be subject to review by any court unless suit is commenced within one year after the decision shall have been entered upon the records of the Board and communicated to the person claiming the annuity, pension, or death benefit. The jurisdiction herein specifically conferred upon the Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act or the Railroad Retirement Act of 1935.

“EXEMPTION

Exemption.

“SEC. 12. No annuity or pension payment shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever, nor shall the payment thereof be anticipated.

Penalties.

“PENALTIES

Failure to make report or furnish information.

“SEC. 13. Any officer or agent of an employer, as the word ‘employer’ is hereinbefore defined, or any employee acting in his own behalf, or any individual whether or not of the character hereinbefore defined, who shall willfully fail or refuse to make any report or furnish any information required, in accordance with the provisions of section 10 (b) 4, by the Board in the administration of this Act or the Railroad Retirement Act of 1935, or who shall knowingly make or cause to be made any false or fraudulent statement or report when a statement or report is required to be made for the purpose of such Acts, or who shall knowingly make or aid in making any false or fraudulent statement or claim for the purpose of causing an award or payment under such Acts, shall be punished by a fine of not more than \$10,000 or by imprisonment not exceeding one year.

False, etc., statement.

Penalty.

“SEPARABILITY

Separability of provisions.

“SEC. 14. If any provision of this Act or the Railroad Retirement Act of 1935, or the application thereof to any person or circumstance, should be held invalid, the remainder of such Act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

“RAILROAD RETIREMENT ACCOUNT

Railroad Retirement Account.

Annual appropriations authorized.  
*Post*, p. 470.

“SEC. 15. (a) There is hereby created an account in the Treasury of the United States to be known as the Railroad Retirement Account. There is hereby authorized to be appropriated to the account for each fiscal year, beginning with the fiscal year ending June 30, 1937, as an annual premium an amount sufficient, with a reasonable margin for contingencies, to provide for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935. Such amount shall be based on such tables of mortality as the Railroad Retirement Board shall from time to time adopt, and on an interest rate of 3 per centum per annum compounded annually. The Railroad Retirement Board shall submit annually to the Bureau of the Budget an estimate of the appropriation to be made to the account.

Annual estimate.

Investments.

“(b) At the request and direction of the Board, it shall be the duty of the Secretary of the Treasury to invest such portion of the

amounts credited to the account as, in the judgment of the Board, is not immediately required for the payment of annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935 in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired on original issue at par or by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the account. Such special obligations shall bear interest at the rate of 3 per centum per annum. Obligations other than such special obligations may be acquired for the account only on such terms as to provide an investment yield of not less than 3 per centum per annum. It shall be the duty of the Secretary of the Treasury to sell and dispose of obligations in the account if it shall be in the interest of the account so to do. Any obligations acquired by the account, except special obligations issued exclusively to the account, may be sold at the market price. Special obligations issued exclusively to the account shall, at the request of the Board, be redeemed at par plus accrued interest. All amounts credited to the account shall be available for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935.

Sale, etc., of obligations.

"(c) The Board is hereby authorized and directed to select two actuaries, one from recommendations made by representatives of employees and the other from recommendations made by representatives of carriers. These actuaries, along with a third who shall be designated by the Secretary of the Treasury, shall be known as the Actuarial Advisory Committee with respect to the Railroad Retirement Account. The committee shall examine the actuarial reports and estimates made by the Railroad Retirement Board and shall have authority to recommend to the Board such changes in actuarial methods as they may deem necessary. The compensation of the members of the committee of actuaries, exclusive of the member designated by the Secretary, shall be fixed by the Board on a per-diem basis.

Actuarial Advisory Committee.

Duties, etc.

"(d) The Board shall include in its annual report a statement of the status and the operations of the Railroad Retirement Account. At intervals not longer than three years the Board shall make an estimate of the liabilities created by this Act and the Railroad Retirement Act of 1935 and shall include such estimate in its annual report. Such report shall also contain an estimate of the reduction in liabilities under Title II of the Social Security Act arising as a result of the maintenance of this Act and the Railroad Retirement Act of 1935.

Annual statements.

#### "APPROPRIATION FOR ADMINISTRATIVE EXPENSES

"SEC. 16. There is hereby authorized to be appropriated from time to time such sums as may be necessary to provide for the expenses of the Board in administering the provisions of this Act and the Railroad Retirement Act of 1935.

Sums authorized for administrative expenses.

#### "SOCIAL SECURITY ACT

Social Security Act.

"SEC. 17. The term 'employment', as defined in subsection (b) of section 210 of title II of the Social Security Act, shall not include service performed by an individual as an employee as defined in section 1 (b).

"Employment" term modified.  
49 Stat. 625.  
42 U. S. C., Supp. II, § 1107.

“FREE TRANSPORTATION

Free transportation to annuitants, etc., not unlawful.

“SEC. 18. It shall not be unlawful for carriers by railroad subject to this Act to furnish free transportation to individuals receiving annuities or pensions under this Act or the Railroad Retirement Act of 1935 in the same manner as such transportation is furnished to employees in their service.”

PART II

Citations of titles. 49 Stat. 967.

SEC. 201. The Act entitled “An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes”, approved August 29, 1935, as in force prior to its amendment by part I of this Act, may be cited as the “Railroad Retirement Act of 1935”; and such Act, as amended by part I of this Act, may be cited as the “Railroad Retirement Act of 1937”.

Conditions of eligibility for annuities.

SEC. 202. The claims of individuals (and the claims of spouses and next of kin of such individuals) who, prior to the date of the enactment of this Act, relinquished all rights to return to the service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be employee representatives as defined therein, and became eligible for annuities under such Act, shall be adjudicated by the Board in the same manner and with the same effect as if this Act had not been enacted: *Provided, however,* That with respect to any such claims no reduction shall be made in any annuity certified after the date of the enactment of this Act because of continuance in service after age sixty-five: *And provided further,* That service rendered prior to August 29, 1935, to a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this Act, irrespective of whether at the time such service was rendered such company was a carrier as defined in the Railroad Retirement Act of 1935; and service rendered prior to August 29, 1935, to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall also be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this Act, irrespective of whether at the time such service was rendered such predecessor was a carrier as defined in the Railroad Retirement Act of 1935: *And provided further,* That annuity payments due an individual under the Railroad Retirement Act of 1935 but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 5 of such Act; otherwise they shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased.

*Proviso.*  
No reduction because of continuance in service after 65.

Prior services included.

Unpaid annuity due at death.

SEC. 203. Any individual who, prior to the date of the enactment of this Act, relinquished all rights to return to the service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be an employee representative as defined in such Act, and who is not eligible for an annuity under that Act but who would have been eligible for an annuity under the Railroad Retirement Act of 1937 had such Act been in force from an<sup>1</sup> after August 29, 1935, shall have his right to an annuity adjudicated under the Railroad Retirement Act of 1937: *Provided, however,* That no such annuity shall begin prior to the date of the enactment of this Act.

Person relinquishing employment and ineligible for annuity under Act of 1935, adjudication of right thereto.

*Proviso.*  
No prior annuity.

<sup>1</sup> So in original.

SEC. 204. The Railroad Retirement Act of 1935 shall continue in force and effect with respect to the rights of individuals granted annuities prior to the date of the enactment of this Act.

Rights under former Act.

SEC. 205. The enactment of this Act shall have no effect on the status, tenure of office, or compensation of the present members, officers, and employees of the Railroad Retirement Board; except that individuals who have had experience in railroad service shall be retained in the employ of the Board, whether or not qualified under the civil service laws and rules, if in the judgment of the Board they possess the qualifications necessary for the proper discharge of the duties of the positions which they are holding.

Railroad Retirement Board, personnel of.

Approved, June 24, 1937.

[CHAPTER 383]

AN ACT

To establish a Civilian Conservation Corps, and for other purposes.

June 28, 1937

[H. R. 6551]

[Public, No. 163]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established the Civilian Conservation Corps, hereinafter called the Corps, for the purpose of providing employment, as well as vocational training, for youthful citizens of the United States who are unemployed and in need of employment, and to a limited extent as hereinafter set out, for war veterans and Indians, through the performance of useful public work in connection with the conservation and development of the natural resources of the United States, its Territories, and insular possessions: *Provided*, That at least ten hours each week may be devoted to general educational and vocational training: *Provided*, That the provisions of this Act shall continue for the period of three years after July 1, 1937, and no longer.

Civilian Conservation Corps.  
Establishment, purpose, etc.

*Provisos.*  
Educational and vocational training.  
Duration of Act.

SEC. 2. The President, by and with the advice and consent of the Senate, is authorized to appoint a Director at a salary of \$10,000 per annum. The Director shall have complete and final authority in the functioning of the Corps, including the allotment of funds to cooperating Federal departments and agencies, subject to such rules and regulations as may be prescribed by the President in accordance with the provisions of this Act.

Director; appointment, salary, authority.

SEC. 3. In order to carry out the purpose of this Act, the Director is authorized to provide for the employment of the Corps and its facilities on works of public interest or utility for the protection, restoration, regeneration, improvement, development, utilization, maintenance, or enjoyment of the natural resources of lands and waters, and the products thereof, including forests, fish and wildlife on lands or interest in lands (including historical or archeological sites), belonging to, or under the jurisdiction or control of, the United States, its Territories, and insular possessions, and the several States: *Provided*, That the President may, in his discretion, authorize the Director to undertake projects on lands belonging to or under the jurisdiction or control of counties, and municipalities, and on lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are or may be provided for by Acts of Congress, including the prevention and control of forest fires, forest tree pests and diseases, soil erosion, and floods: *Provided further*, That no projects shall be undertaken on lands or interests in lands, other than those belonging to or under the jurisdiction or control of the United States, unless adequate provisions are made by the cooperating agencies for the maintenance, operation, and utilization of such projects after completion.

Employment of Corps in protection, etc., of natural resources.

*Provisos.*  
Cooperation with municipalities, etc.; restriction.

Maintenance, etc., after completion.



Emergency Conser-  
vation Work.  
Transfer of person-  
nel, property, etc., to  
Corps.  
48 Stat. 22.  
Camp exchange.

*Proviso.*  
Sales restricted.

Civilian personnel.

Detail of officers to  
Corps.  
43 Stat. 1075; 41  
Stat. 776.

Maximum enroll-  
ment, number of  
war veterans.

*Proviso.*  
Additional Indian,  
etc., enrollees.

Qualifications of en-  
rollees.

*Provisos.*  
Right to exclude;  
exception.

Enrollment and re-  
enrollment periods.

Attendance at edu-  
cational institutions.

Certificates of pro-  
ficiency and merit.

Compensation of en-  
rollees.  
Allotments to de-  
pendents.

Deposits by other  
enrollees; repayment.

*Provisos.*  
Exclusion of Indians  
from regulations.  
Pay rates.

SEC. 4. There are hereby transferred to the Corps all enrolled personnel, records, papers, property, funds, and obligations of the Emergency Conservation Work established under the Act of March 31, 1933 (48 Stat. 22), as amended; and the Corps shall take over the institution of the camp exchange heretofore established and maintained, under supervision of the War Department, in connection with and aiding in administration of Civilian Conservation Corps work-camps conducted under the authority of said Act as amended: *Pro-vided*, That such camp exchange shall not sell to persons not connected with the operation of the Civilian Conservation Corps.

SEC. 5. The Director and, under his supervision, the heads of other Federal departments or agencies cooperating in the work of the Corps, are authorized within the limit of the allotments of funds therefor, to appoint such civilian personnel as may be deemed neces-sary for the efficient and economical discharge of the functions of the Corps without regard to the civil-service laws and regulations.

SEC. 6. The President may order Reserve officers of the Army and officers of the Naval and Marine Reserves and warrant officers of the Coast Guard to active duty with the Corps under the provisions of section 37a of the National Defense Act and the Act of February 28, 1925, respectively.

SEC. 7. The Director is authorized to have enrolled not to exceed three hundred thousand men at any one time, of which not more than thirty thousand may be war veterans: *Provided*, That in addition thereto camps or facilities may be established for not to exceed ten thousand additional Indian enrollees and five thousand additional territorial and insular possession enrollees.

SEC. 8. The enrollees in the Corps (other than war veterans, enrollees in the Territories and insular possessions, Indians, not to exceed one mess steward, three cooks, and one leader per each com-pany) shall be unmarried male citizens of the United States between the ages of seventeen and twenty-three years, both inclusive, and shall at the time of enrollment be unemployed and in need of employment: *Provided*, That the Director may exclude from enrollment such classes of persons as he may consider detrimental to the well-being or welfare of the Corps, except that no person shall be excluded on account of race, color, or creed: *Provided further*, That enrollments shall be for a period of not less than six months and reenrollments (except in the case of one mess steward, three cooks, and one leader, in each company, and War Veterans) shall not exceed a total term of two years: *Provided further*, That in the discretion of the Director continuous service by the enrollee during his period of enrollment shall not be required in any case where the enrollee attends an edu-cational institution of his choice during his leave of absence: *Pro-vided further*, That the Director shall be authorized to issue certi-ficates of proficiency and merit to enrollees under such rules and regulations as he may provide.

SEC. 9. The compensation of enrollees shall be in accordance with schedules approved by the President, and enrollees with dependent member or members of their families shall be required, under such regulations as may be prescribed by the Director, to make allotments of pay to such dependents. Other enrollees may make deposits of pay in amounts specified by the Director with the Chief of Finance, War Department, to be repaid in case of an emergency or upon com-pletion of or release from enrollment and to receive the balance of their pay in cash monthly: *Provided*, That Indians may be excluded from these regulations: *Provided further*, That the pay of enrollees shall not exceed \$30 per month, except for not more than ten per centum who may be designated as assistant leaders and who shall

receive not more than \$36 per month: *Provided further*, That not to exceed an additional 6 per centum of such enrollees who may be designated as leaders and may receive not more than \$45 per month as such leaders.

SEC. 10. Enrollees shall be provided, in addition to the monthly rates of pay, with such quarters, subsistence, and clothing, or commutation in lieu thereof, medical attention, hospitalization, and transportation as the Director may deem necessary: *Provided*, That burial, embalming, and transportation expenses of deceased enrolled members of the Corps, regardless of the cause and place of death, shall be paid in accordance with regulations of the Employees' Compensation Commission: *Provided further*, That the provisions of the Act of February 15, 1934 (U. S. C., 1934 ed., title 5, sec. 796), relating to disability or death compensation and benefits shall apply to the enrolled personnel of the Corps.

SEC. 11. The Chief of Finance, War Department, is hereby designated, empowered, and directed, until otherwise ordered by the President, to act as the fiscal agent of the Director in carrying out the provisions of this Act: *Provided*, That funds allocated to Government agencies for obligation under this Act may be expended in accordance with the laws, rules, and regulations governing the usual work of such agency, except as otherwise stipulated in this Act: *Provided further*, That in incurring expenditures, the provisions of section 3709, Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5), shall not apply to any purchase or service when the aggregate amount involved does not exceed the sum of \$300.

SEC. 12. The President is hereby authorized to utilize the services and facilities of such departments or agencies of the Government as he may deem necessary for carrying out the purposes of this Act.

SEC. 13. The Director and, under his supervision, the cooperating departments and agencies of the Federal Government are authorized to enter into such cooperative agreements with States and civil divisions as may be necessary for the purpose of utilizing the services and facilities thereof.

SEC. 14. The Director may authorize the expenditure of such amounts as he may deem necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, and welfare, and may also authorize expenditures for the transportation and subsistence of selected applicants for enrollment and of discharged enrollees while en route upon discharge to their homes.

SEC. 15. That personal property as defined in the Act of May 29, 1935 (49 Stat. 311), belonging to the Corps and declared surplus by the Director, shall be disposed of by the Procurement Division, Treasury Department, in accordance with the provisions of said Act: *Provided*, That unserviceable property in the custody of any department shall be disposed of under the regulations of that Department.

SEC. 16. The Director and, under his supervision, the heads of cooperating departments and agencies are authorized to consider, ascertain, adjust, determine, and pay from the funds appropriated by Congress to carry out the provisions of this Act any claim arising out of operations authorized by the Act accruing after the effective date thereof on account of damage to or loss of property or on account of personal injury to persons not provided for by section 10 of this Act, caused by the negligence of any enrollee or employee of the Corps while acting within the scope of his employment: *Provided*, That the amount allowed on account of personal injury shall be limited to necessary medical and hospital expenses: *Provided further*, That this section shall not apply to any claim on account of personal

Leaders.

Allowances.

*Provisos.*  
Burial, etc., expenses.

Disability or death compensation.  
48 Stat. 351.  
5 U. S. C. § 796.

Chief of Finance.  
War Department, to act as fiscal agent.

*Provisos.*  
Expenditure of allocated funds.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Government agencies, use of services, etc., of.

Cooperative agreements with States, etc.

Expenditures for supplies, etc.

Disposal of surplus property.  
49 Stat. 311.

*Proviso.*  
Unserviceable property.

Adjustment, etc., of claims arising out of Corps operations.

*Provisos.*  
Personal injury allowance.

Exception.

Restriction.	injury for which a remedy is provided by section 10 of this Act: <i>Provided further</i> , That no claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing within one year from the date of accrual thereof: <i>Provided further</i> , That acceptance by any claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action of the Director or of the head of a cooperating department or agency upon such claim so accepted by the claimant shall be conclusive.
Acceptance deemed full settlement.	
Appropriations authorized. <i>Post</i> , p. 470.	
<i>Provisos</i> . Camp exchanges.	
Monthly certificate of compliance.	SEC. 17. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the purposes of this Act: <i>Provided</i> , That no part of any such appropriation shall be used in any way to pay any expense in connection with the conduct, operation, or management of any camp exchange, save and except such camp exchanges as are established and operated, in accordance with regulations to be prescribed by the Director, at such camps as may be designated by him, for real assistance and convenience to enrollees in supplying them and their supervising personnel on duty at any such camp with articles of ordinary use and consumption not furnished by the Government: <i>Provided further</i> , That the person in charge of any such camp exchange shall certify, monthly, that during the preceding calendar month such exchange was operated in compliance therewith.
Effective date.	SEC. 18. This Act, except as otherwise provided, shall take effect July 1, 1937.
	Approved, June 28, 1937.

[CHAPTER 334]

AN ACT

June 28, 1937 [S. 4] [Public, No. 164]	To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough.
Norfolk, Va. Commemorative coins authorized.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled</i> , That in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough there shall be coined at one mint only of the United States to be designated by the Director of the Mint not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.
No Federal expense for dies, etc.	SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Norfolk Advertising Board, Incorporated, affiliated with the Norfolk Association of Commerce upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such association, subject to the approval of the Director of the Mint, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.
Date, issue, etc.	
Number.	
Disposition.	

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 28, 1937.

Coinage laws applicable.

[CHAPTER 385]

AN ACT

To extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation.

June 28, 1937  
[S. 2439]

[Public, No. 165]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, the Secretary of Agriculture may transfer to the Federal Surplus Commodities Corporation, which Corporation is hereby continued, until June 30, 1939, as an agency of the United States under the direction of the Secretary of Agriculture, such funds, appropriated by said section 32, as may be necessary for the purpose of effectuating said clause (2) of section 32: *Provided*, That such transferred funds, together with other funds of the Corporation, may be used for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling of agricultural commodities and products thereof and inspection costs, commissions, and other incidental costs and expenses, without regard to the provisions of existing law governing the expenditure of public funds and for administrative expenses, including rent, printing and binding, and the employment of persons and means, in the District of Columbia and elsewhere, such employment of persons to be in accordance with the provisions of law applicable to the employment of persons by the Agricultural Adjustment Administration.

Federal Surplus  
Commodities Corporation,  
continuation  
of.  
49 Stat. 774.  
Transfer of funds.

*Proviso.*  
Use in effectuating  
purposes of section.

Administrative, etc.,  
expenses.

Purchase and dona-  
tion of agricultural  
commodities for relief  
purposes.

In carrying out clause (2) of section 32, the funds appropriated by said section may be used for the purchase, without regard to the provisions of existing law governing the expenditure of public funds, of agricultural commodities and products thereof, and such commodities, as well as agricultural commodities and products thereof purchased under the preceding paragraph hereof, may be donated for relief purposes.

Approved, June 28, 1937.

[CHAPTER 386]

AN ACT

To further amend an Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives", approved March 3, 1925, as amended.

June 28, 1937  
[S. 2242]

[Public, No. 166]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 168d of the Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in national archives", approved March 3, 1925, as amended by the Act approved February 28, 1929 (U. S. C., Supp. 7, title V, sec. 168a), and by the Act approved February 14, 1936 (49 Stat. 1139), be, and the same

Territorial papers of  
the United States.  
Amount authorized  
for collecting, editing,  
etc., increased.  
43 Stat. 1104; 45  
Stat. 1412; 49 Stat.  
1139.  
5 U. S. C., Supp. II,  
§ 168a.

Limitation on annual appropriations.

is hereby, amended by striking out the words "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of \$125,000, and under this authorization not more than \$50,000 shall be appropriated for any one year" and inserting in lieu thereof the following: "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of \$250,000, and under this authorization not more than \$25,000 shall be appropriated for any one year."

Approved, June 28, 1937.

[CHAPTER 387]

JOINT RESOLUTION

Making an appropriation to defray expenses incident to the dedication of chapels and other World War memorials erected in Europe, and for other purposes.

June 28, 1937  
[H. J. Res. 415]  
[Pub. Res., No. 45]

World War memorials in Europe.  
Appropriation for defraying dedication expenses.  
42 Stat. 1509.  
36 U. S. C. § 121.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of providing for the dedication of the chapels and other World War memorials erected in Europe under the authority of the Act of March 4, 1923 (42 Stat. 1509), there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$175,000, to remain available until June 30, 1938, and to be available for expenditure by the American Battle Monuments Commission for such objects and in such manner as the Commission may deem necessary and proper to accomplish the purposes hereof without regard to the provisions of other laws or regulations relating to the expenditure of public funds except that this exemption shall not be construed as waiving the requirement for the submission of accounts and vouchers to the General Accounting Office for audit. The Commission may utilize the services, materials, supplies, equipment, and other facilities of any other agency of the Government when, in the discretion of such other agency, it is convenient and practicable to furnish the same, the cost thereof to be paid from this appropriation, except that when, in the discretion of the furnishing agency, the public interest will be subserved thereby such services, materials, supplies, equipment, and other facilities may be furnished free of charge to the Commission. The Commission may, within such limits and under such terms and conditions as it may prescribe, delegate to its chairman, secretary, or other designated representatives such of its authority as it may deem necessary and proper in carrying out the purposes hereof. The official delegation designated by the Commission to attend such dedication shall include three Members of the United States Senate, to be appointed by the Vice President or the President pro tempore of the Senate, and three Members of the House of Representatives to be appointed by the Speaker.

Official delegation.

Transfer of funds.  
49 Stat. 1337.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed, upon the request of the Secretary of Commerce, to transfer, during the fiscal year 1937, from the appropriation "Salaries and general expenses for the Bureau of Marine Inspection and Navigation, fiscal year 1937", to the appropriation "Departmental salaries, Bureau of Marine Inspection and Navigation, fiscal year 1937", not to exceed \$8,000.

49 Stat. 1326, 1327.

SEC. 3. There is hereby transferred from the appropriation "Fees of jurors and witnesses, United States courts, 1937" to the appropriation "Pay of special assistant attorneys, United States courts, 1937", the amount of \$40,000.

SEC. 4. The appropriation in the Legislative Branch Appropriation Act, 1938 (Public Act Numbered 94, Seventy-fifth Congress), for an assistant clerk at \$2,800 for the Committee to Audit and Control the Contingent Expenses of the Senate, is hereby amended to make the salary of such assistant clerk read "\$2,880".

Committee to Audit and Control Contingent Expenses of the Senate.  
Salary of assistant clerk.  
*Ante*, p. 170.

SEC. 5. The Comptroller General of the United States is authorized and directed to approve payment for nine airplanes obtained from the Stinson Aircraft Corporation, Wayne, Michigan, under contract Cc-2510, dated October 1, 1936, out of an allotment of \$83,000 made by the President of the United States on March 23, 1937, for this purpose from the Emergency Relief Appropriation Act of 1935.

Stinson Aircraft Corporation.  
Payment to.

49 Stat. 115.

Approved, June 28, 1937.

[CHAPTER 390]

AN ACT

To provide for the establishment of a Coast Guard station at or near Menominee, Michigan.

June 28, 1937  
[S. 119]

[Public, No. 167]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Menominee, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Menominee, Mich.  
Establishment of Coast Guard station at, authorized.

Approved, June 28, 1937.

[CHAPTER 391]

AN ACT

To provide for the establishment of a Coast Guard station at or near Manistique, Michigan.

June 28, 1937  
[S. 1374]

[Public, No. 168]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station at or in the vicinity of Manistique, Schoolcraft County, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Manistique, Mich.  
Establishment of Coast Guard station at, authorized.

Approved, June 28, 1937.

[CHAPTER 392]

AN ACT

For the protection of the northern Pacific halibut fishery.

June 28, 1937  
[S. 1984]

[Public, No. 169]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Northern Pacific Halibut Act of 1937".

SEC. 2. When used in this Act—

Northern Pacific Halibut Act of 1937.  
Citation.  
Definitions.

(a) Convention: The word "Convention" means the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January 1937, and shall include the regulations of the International Fisheries Commission promulgated thereunder.

"Convention."

(b) Commission: The word "Commission" means the International Fisheries Commission provided for by article III of the Convention.

"Commission."

- "Person." (c) Person: The word "person" includes partnerships, associations, and corporations.
- "Territorial waters of the United States." (d) Territorial waters of the United States: The term "Territorial waters of the United States" means the Territorial waters contiguous to the western coast of the United States and the territorial waters contiguous to the southern and western coasts of Alaska.
- "Territorial waters of Canada." (e) Territorial waters of Canada: The term "territorial waters of Canada" means the territorial waters contiguous to the western coast of Canada.
- "Convention waters." (f) Convention waters: The term "Convention waters" means the territorial waters of the United States, the territorial waters of Canada, and the high seas of the Northern Pacific Ocean and the Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.
- "Halibut." (g) Halibut: The word "halibut" means the species of Hippoglossus inhabiting Convention waters.
- "Vessel." (h) Vessel: The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.
- Unlawful acts. SEC. 3. It shall be unlawful for—
- Person other than national, etc., catching halibut in U. S. territorial waters. (a) any person other than a national or inhabitant of the United States to catch or attempt to catch any halibut in the territorial waters of the United States;
- Use of vessel of non-signatory nation. (b) any person to transfer to or to receive upon any vessel of the United States, or to bring to any place within the jurisdiction of the United States any halibut caught in Convention waters by the use of any vessel of a nation not a party to the Convention, or caught in Convention waters by any national or inhabitant of the United States or Canada in violation of the Convention or of this Act;
- Catches in violation of Convention or Act. (c) any national or inhabitant of the United States to catch, attempt to catch, or to possess any halibut in the territorial waters of the United States or in Convention waters in violation of any provision of the Convention or of this Act;
- Catches, etc., by national, etc., in violation of Convention or Act. (d) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel, other than a vessel of the United States or Canada, in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in Convention waters or the territorial waters of the United States or Canada;
- Outfitting vessels, etc. (e) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel of the United States or Canada in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in violation of any provision of the Convention or of this Act;
- Unlawful possession, etc. (f) any person within the territory or jurisdiction of the United States or any national or inhabitant of the United States within Convention waters knowingly to have or have had in his possession any halibut taken, transferred, received, or brought in in violation of any provision of the Convention or of this Act;
- Departure in vessel which departs in violation of Convention, etc. (g) any person to depart from any place within the jurisdiction of the United States in any vessel which departs from such place in violation of the Convention or of this Act;
- Halibut caught incidentally to fishing for other species. (h) any person in the territorial waters of the United States or any national or inhabitant of the United States in Convention waters to catch or attempt to catch any halibut, or to possess any halibut caught incidentally to fishing for other species of fish by the use of or in any vessel required by the Convention to have on board any

license or permit unless such vessel shall have on board a license or permit which shall comply with all applicable requirements of the Convention, and which shall be available for inspection at any time by any officer authorized to enforce the Convention or by any representative of the Commission;

(i) any person to take, retain, land, or possess any halibut caught incidentally to fishing for other species of fish, in violation of any provision of the Convention or of this Act.

SEC. 4. It shall be unlawful for the master or owner or person in charge of any vessel or any other person required by the Convention to make, keep, or furnish any record or report, to fail to do so, or to refuse to permit any officer authorized to enforce the Convention or any representative of the Commission to examine and inspect any such record or report at any time.

SEC. 5. (a) The provisions of the Convention and of this Act and any regulations issued under this Act shall be enforced by the Coast Guard, the Customs Service, and the Bureau of Fisheries. For such purposes any officer of the Coast Guard, Customs, or Fisheries may at any time go on board of any vessel in territorial waters of the United States, or any vessel of the United States or Canada in Convention waters, except in the territorial waters of Canada, to address inquiries to those on board and to examine, inspect, and search the vessel and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel, and use all necessary force to compel compliance.

(b) Whenever it appears to any such officer that any person, other than a national or inhabitant of Canada, on any vessel of the United States is violating or has violated any provision of the Convention or of this Act, he shall arrest such person and seize any such vessel employed in such violation. If any such person on any such vessel of the United States is a national or inhabitant of Canada, such person shall be detained and shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention or at such other port or place as such officers of the United States and of Canada may agree upon.

(c) Whenever it appears to any such officer of the United States that any person, other than a national or inhabitant of the United States, on any vessel of Canada in Convention waters, except in the territorial waters of Canada, is violating or has violated any provision of the Convention, such person, and any such vessel employed in such violation, shall be detained and such person and such vessel shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention, or at such other port or place as such officers of the United States and of Canada may agree upon. If any such person on any such vessel of Canada is a national or inhabitant of the United States, such person shall be arrested as provided for in subsection (b) of this section.

(d) Officers or employees of the Coast Guard, Customs, and Fisheries may be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be produced compatibly with the public interest and as may be considered essential to the prosecution in Canada of any violation of the provisions of the Convention or any Canadian law for the enforcement thereof when requested by the appropriate Canadian authorities in the manner prescribed in article V of the Convention to suppress smuggling concluded between the United States and Canada on June 6, 1924 (44 Stat. (pt. 3), 2097).

License or permit.

Unlawful possession, etc.

Records and reports to be maintained.

Inspection.

Enforcement of provisions.

Boarding vessel to address inquiries, inspect, etc.

Arrest and seizure.

Detention and delivery.

National aboard Canadian vessel.

Attendance of Coast Guard, etc., personnel as witnesses; production of records, etc.

44 Stat. 2096.



Punishment for violation.

SEC. 6. (a) Any person violating any provision of section 3 of this Act upon conviction shall be fined not more than \$1,000 nor less than \$100 or be imprisoned for not more than one year, or both.

Forfeiture of cargo.

(b) The cargo of halibut of every vessel employed in any manner in connection with the violation of any provision of section 3 of this Act shall be forfeited; upon a second violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, and stores may be forfeited and the cargo of halibut of every such vessel shall be forfeited; and, upon a third or subsequent violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, cargo, and stores shall be forfeited.

Second violation.

Third and subsequent violations.

Procedure relative to seizure, etc.

(c) All provisions of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act: *Provided*, That except as provided in section 5 hereof all rights, powers, and duties conferred or imposed by this Act upon any officer or employee of the Treasury Department shall, for the purposes of this Act, be exercised or performed by the Secretary of Commerce or by such persons as he may designate.

*Proviso.*  
Powers conferred on Secretary of Commerce.

Penalty provision.

SEC. 7. Any person violating section 4 of this Act shall be subject to a penalty of \$50 for each such violation. The Secretary of Commerce is authorized and empowered to mitigate or remit any such penalty in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

Exemptions.

SEC. 8. None of the prohibitions contained in this Act shall apply to the Commission or its agents when engaged in any scientific investigation.

Joint rules and regulations to be made.

SEC. 9. The Secretary of the Treasury and the Secretary of Commerce are authorized to make such joint rules and regulations as may be necessary to carry out the provisions of this Act.

Effective date.

SEC. 10. This Act shall take effect on the date of exchange of ratifications of the Convention signed by the United States of America and Canada, on January 29, 1937, for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, unless such date shall be prior to the date of approval of this Act in which case it shall take effect immediately.

Approved, June 28, 1937.

[CHAPTER 393]

JOINT RESOLUTION

To provide for the publication and sale by the Northwest Territory Celebration Commission of certain historical and educational material.

June 28, 1937  
[H. J. Res. 380]  
[Pub. Res., No. 46]

Northwest Territory Celebration Commission.  
49 Stat. 512.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the joint resolution entitled "Joint resolution to provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory", approved August 2, 1935, is amended by adding at the end thereof a new section to read as follows:

Publication and sale of historical, etc., material authorized.

"SEC. 5. (a) The Commission is authorized to prepare, publish, and sell such historical and educational material pertaining to the Ordinance of 1787 and the settlement of the Northwest Territory as it deems advisable for the dissemination of information and the advance-

ment of knowledge concerning such Ordinance and settlement. Sums received from the sale of such published material are hereby authorized to be appropriated as a revolving fund for the continued publication and sale of such material.

“(b) The Commission is authorized to have printing, binding, photolithography, and other work done at establishments other than the Government Printing Office.”

Approved, June 28, 1937.

Receipts to create a revolving fund for continuance of publication, etc.

Printing, etc., other than at Government Printing Office.

## [CHAPTER 395]

### AN ACT

To extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers.

June 28, 1937  
[H. R. 3687]  
[Public, No. 170]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) section 8 (a) of the Soil Conservation and Domestic Allotment Act, as amended, is amended by—

(1) Striking out “January 1, 1938” wherever appearing therein and inserting in lieu thereof “January 1, 1942”; and

(2) Striking out “December 31, 1937” and inserting in lieu thereof “December 31, 1941”.

(b) Section 7 (g) of such Act, as amended, is amended by striking out “apportionments of funds available for carrying out the purposes specified in this section for the year 1936 may be made at any time during 1936, and apportionments for 1937 may be made at any time during 1937” and inserting in lieu thereof “any such apportionment of funds available for carrying out State plans during any year prior to 1942 may be made at any time prior to or during the year to which such plans relate”.

SEC. 2. Section 9 of such Act is amended by inserting at the end thereof the following: “The Secretary shall transmit to the Congress a report, for the fiscal year ending June 30, 1937, and for each fiscal year thereafter, of the operations for such year under sections 7 to 14, inclusive, of this Act, which report shall include a statement of the expenditures made and obligations incurred, by classes and amounts.”

Approved, June 28, 1937.

Soil Conservation and Domestic Allotment Act, amendments.

49 Stat. 1149.  
Powers of Secretary of Agriculture extended, where State plan inoperative.

Apportionments for carrying out State plans continued until 1942.

Annual reports to Congress.

## [CHAPTER 396]

### AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes.

June 28, 1937  
[H. R. 4064]  
[Public, No. 171]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, namely:

### EXECUTIVE OFFICE

#### COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

For compensation of the President of the United States, \$75,000.  
For compensation of the Vice President of the United States, \$15,000.

Executive Office.

Compensation.

President.

Vice President.

Independent Offices Appropriation Act, 1938.

## Office of the President.

## OFFICE OF THE PRESIDENT

## Salaries.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two additional secretaries to the president at \$10,000 each; \$133,680: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

## Contingent expenses.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items to be expended in the discretion of the President, \$50,000.

Printing and binding.  
Traveling, etc., expenses.

For printing and binding, \$2,700.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, \$25,000.

Total, Executive Office proper, \$301,380.

## Executive Mansion and Grounds.

## EXECUTIVE MANSION AND GROUNDS

Care, repair, etc.  
Post, p. 757.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$193,098, of which \$50,000 shall be immediately available.

Total, Executive Office, \$494,478.

## Independent Establishments.

## INDEPENDENT ESTABLISHMENTS

## American Battle Monuments Commission.

## AMERICAN BATTLE MONUMENTS COMMISSION

All expenses.  
42 Stat. 1509.  
36 U. S. C. §§ 121-133.

## Acquisition of land abroad.

R. S. § 355.  
34 U. S. C. § 520.  
40 U. S. C. § 255.  
Services in the District.  
Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

## Uniforms for caretakers.

## Vehicles.

## Printing, binding, etc.

Continuing appropriations.  
49 Stat. 1169.

For every expenditure requisite for or incident to the work of the American Battle Monument Commission authorized by the Act of March 4, 1923 (U. S. C., title 36, secs. 121-133), and by Executive Order Numbered 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (U. S. C., title 34, sec. 520; title 40, sec. 255); employment of personal services in the District of Columbia and elsewhere; including not to exceed \$3,000 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding \$1,200; travel expenses; rent of office space in foreign countries; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; the purchase of one motor-propelled passenger-carrying vehicle at a cost not exceeding \$1,600; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers, and periodicals, \$138,673, together with \$21,327 of the unexpended balances of the no-year appropriations for the said Commission carried

in any and all previous Acts, which unexpended sum is hereby made available for all the purposes of this appropriation: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may purchase supplies and materials without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$500: *Provided further*, That when traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *And provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

*Prorisos.*  
Technical, etc.,  
work abroad.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Traveling expenses.

Delegation of authority permitted.

### BOARD OF TAX APPEALS

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, \$503,000, of which amount not to exceed \$470,000 may be expended for personal services in the District of Columbia.

For all printing and binding for the Board of Tax Appeals, \$26,000.

Total, Board of Tax Appeals, \$529,000.

Board of Tax Appeals.

All expenses.  
43 Stat. 336; 44  
Stat. 105; 45 Stat. 871;  
47 Stat. 286.  
26 U. S. C. §§ 600-  
645.

Printing and binding.

### CENTRAL STATISTICAL BOARD

For every expenditure requisite for and incident to the work of the Central Statistical Board as authorized by law, including personal services in the District of Columbia; traveling expenses; materials; supplies; office equipment; services; newspapers; periodicals and press clippings; printing and binding; repairs and alterations; contract stenographic reporting services and not to exceed \$200 for expenses of attendance at meetings which in the discretion of the chairman are necessary for the efficient discharge of the responsibilities of the Board, \$87,000.

Central Statistical Board.

All expenses.  
49 Stat. 498.  
5 U. S. C., Supp. II,  
§§ 141-149.

Printing and binding.

### CIVIL SERVICE COMMISSION

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed \$2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examina-

Civil Service Commission.

Commissioners, and office personnel.

Attendance at meetings, etc.

*Provisos.*  
Actuarial services.

Details from departments, etc., forbidden.

Emergency transfers, etc., permitted.

Printing and binding.

Civil-service retirement and disability fund.

Contribution.  
41 Stat. 614.  
38 U. S. C. § 11.

Canal Zone retirement and disability fund.

Contribution.  
46 Stat. 1471.  
48 U. S. C. § 1371n.

Alaska Railroad retirement and disability fund.

Contribution.  
49 Stat. 2017.  
5 U. S. C., Supp. II,  
§§ 745-746r.

tions and investigations held elsewhere than at Washington, including not to exceed \$1,000 for expenses incident to attendance at meetings concerned with problems of public officials, educational groups, Government employees as such, and other similar organizations, which are peculiar to the interests and business of the Commission, when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; street-car fares not to exceed \$300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed \$1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, \$2,350,000: *Provided*, That notwithstanding any provisions of law to the contrary, the Civil Service Commission is authorized to expend not to exceed \$3,000 of this amount for actuarial services pertaining to the civil service, Canal Zone, and Alaska Railroad retirement and disability funds, to be obtained by contract, without obtaining competition, at such rates of compensation as the Commission may determine to be reasonable: *Provided further*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1938, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, \$85,000.

#### CIVIL-SERVICE RETIREMENT FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 38, sec. 11), \$72,392,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

#### CANAL ZONE RETIREMENT AND DISABILITY

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (U. S. C., title 48, sec. 1371n), \$500,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund."

#### ALASKA RAILROAD RETIREMENT AND DISABILITY

For financing of the liability of the United States created by the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat., p. 2017), \$175,000, which amount

shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

Total, Civil Service Commission, \$75,502,000.

#### DISTRICT OF COLUMBIA ALLEY DWELLING AUTHORITY

The unexpended balance of the "Conversion of inhabited alleys fund" of \$500,000, established pursuant to the provisions of the District of Columbia Alley Dwelling Act, approved June 12, 1934, is hereby continued available for the purposes of said Act until June 30, 1938, together with all receipts derived from sales, leases, or other sources, prior to June 30, 1938, as authorized in section 3 (b) of said Act.

District of Columbia Alley Dwelling Authority.  
Funds for, continued available.  
49 Stat. 1601.  
48 Stat. 932.

#### EMPLOYEES' COMPENSATION COMMISSION

For three Commissioners and other personal services in the District of Columbia, including not to exceed \$1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding \$8 per day, and for personal services in the field; for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; \$466,450.

For all printing and binding for the Employees' Compensation Commission, \$8,000.

Employees' compensation fund: For the payment of compensation provided by "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U. S. C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1938 or in prior fiscal years, \$4,650,000.

Employees' Compensation Commission.  
Salaries and expenses.

Printing and binding.

Employees' compensation fund.  
39 Stat. 749.  
5 U. S. C. § 785.

Burial, etc., expenses.

#### EMPLOYEES' COMPENSATION FUND, CIVIL WORKS

For administrative expenses and payment of compensation in connection with the administration of the benefits for employees of the Civil Works Administration in accordance with the provisions of the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (48 Stat., p. 352), and in connection with the administration of the benefits authorized by title V of the Act entitled "An Act to liberalize the provisions of Public Law Numbered 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War veterans and other persons, and for other purposes", approved June 29, 1936 (49 Stat., p. 2035), \$233,800 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1938.

Employees' compensation fund, civil works.  
Administrative expenses, compensation payments, etc.  
48 Stat. 351.

Provisions extended.  
49 Stat. 2035.

Employees' compensation fund, Emergency Conservation Work.  
Administrative expenses and compensation payments.  
48 Stat. 1056.

#### EMPLOYEES' COMPENSATION FUND, EMERGENCY CONSERVATION WORK

For administrative expenses and payment of compensation in connection with the administration of the benefits for enrollees of the Civilian Conservation Corps in accordance with the provisions of the Act entitled "Emergency Appropriation Act, fiscal year 1935", approved June 19, 1934 (48 Stat., p. 1057), \$635,000 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1938.

Employees' compensation fund, emergency relief.  
Administrative expenses and compensation payments.  
49 Stat. 115, 1608.

#### EMPLOYEES' COMPENSATION FUND, EMERGENCY RELIEF

For administrative expenses and the payment of compensation in connection with the administration of the benefits authorized by section 2 of the Act entitled "Emergency Relief Appropriation Act of 1935", approved April 8, 1935 (49 Stat. 115-119), and by the "Emergency Relief Appropriation Act of 1936", approved June 22, 1936 (49 Stat. 1608), \$2,582,360 of the special funds set upon the books of the Treasury pursuant to the provisions of the said Acts shall be available for expenditure during the fiscal year 1938.

Total, Employees' Compensation Commission, \$5,124,450.

Federal Communications Commission.

#### FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses.  
48 Stat. 1064.  
47 U. S. C. §§ 151-160.  
36 Stat. 629.  
46 U. S. C. §§ 484-487.  
45 Stat. 2760.  
*Post*, p. 757.

For seven commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat., p. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (U. S. C., title 46, secs. 484-487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order Numbered 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President of the United States, July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$25, improvement and care of grounds and repairs to buildings, not to exceed \$5,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, \$1,604,000, of which amount not to exceed \$1,050,000 may be expended for personal services in the District of Columbia.

*Post*, p. 1146.

Minor purchases.

R. S. § 3709.  
41 U. S. C. § 5.

Maintenance, etc.

Printing and binding.

For all printing and binding for the Federal Communications Commission, \$25,000.

Total, Federal Communications Commission, \$1,629,000.

Federal Power Commission.

#### FEDERAL POWER COMMISSION

Expenses.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including traveling expenses; expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; rent outside the District of Columbia; hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of

Vehicles.

Columbia; supplies and office equipment; services; scientific instruments; expenses incurred in packing, crating, drayage and transportation of household effects and other property (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Commission; and not exceeding \$5,000 for purchase and exchange of law books, other books of reference, newspapers, periodicals and newspaper clippings; \$1,450,000, of which amount not to exceed \$800,000 shall be available for personal services in the District of Columbia, exclusive of not to exceed \$25,000 which may be expended for consultants and special counsel: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, \$75,000.  
Total, Federal Power Commission, \$1,525,000.

### FEDERAL TRADE COMMISSION

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed \$900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed \$600, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$1,950,000: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50.

For all printing and binding for the Federal Trade Commission, \$31,000.

Total, Federal Trade Commission, \$1,981,000.

### FOREIGN SERVICE PAY ADJUSTMENT

Foreign service pay adjustment of officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, \$1,745,342.

### GENERAL ACCOUNTING OFFICE

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, \$4,954,600.

Contingent expenses: For traveling expenses, materials, supplies, equipment, and services; rent of buildings and equipment; furnishing of heat and light; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and

Transferring effects,  
etc.

Consultants, etc.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Federal Trade Commission.

Commissioners, and other expenses.

Attendance at meetings.

Witness fees, etc.  
38 Stat. 722.  
15 U. S. C. § 49.  
*Proviso.*  
Minor purchases.  
41 U. S. C. § 5.

Printing and binding.

Foreign Service Pay Adjustment.

Losses due to foreign currency appreciation.  
48 Stat. 466.  
5 U. S. C. § 118c.

General Accounting Office.

Comptroller General, Assistant, and office personnel.

Contingent expenses.



other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; \$272,140: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of \$50.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$79,800.

Total, General Accounting Office, \$5,306,540.

## INTERSTATE COMMERCE COMMISSION

### SALARIES AND EXPENSES

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum, field hearings, traveling expenses, and contract stenographic reporting services; \$2,544,000, of which amount not to exceed \$2,350,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed \$50,000; not exceeding \$3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding \$100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (U. S. C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 20), including the employment of necessary special accounting agents or examiners, and traveling expenses, \$852,000, of which amount not to exceed \$190,000 may be expended for personal services in the District of Columbia.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U. S. C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, \$506,000, of which amount not to exceed \$90,000 may be expended for personal services in the District of Columbia.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act, as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and including the employment of the necessary engineers,

*Proriso.*  
Minor purchases.  
41 U. S. C. § 5.

Printing and binding.

Interstate Commerce Commission.

Salaries and expenses.

Commissioners, etc.

Services in the District.

Books, furniture, etc.

Enforcing accounting by railroads.  
34 Stat. 593; 36 Stat. 555; 41 Stat. 493.  
49 U. S. C. § 20.

Special examiners.

Safety of employees, etc.

Reports and investigations of accidents.

Safety signals.

34 Stat. 838.  
45 U. S. C. § 35.  
Testing appliances.  
35 Stat. 325.  
45 U. S. C. §§ 36, 37.

Services in the District.

Signal safety systems.  
41 Stat. 498.  
49 U. S. C. § 26.  
Automatic train-control devices.  
*Post*, p. 835.

34 Stat. 838.  
45 U. S. C. § 35.

and for traveling expenses, \$41,500, of which amount not to exceed \$35,000 may be expended for personal services in the District of Columbia.

**Locomotive inspection:** For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (U. S. C., title 45, sec. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U. S. C., title 45, sec. 30), and amendment of June 7, 1924 (U. S. C., title 45, sec. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (U. S. C., title 45, sec. 26), and the amendment of June 27, 1930 (U. S. C., title 45, secs. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, \$471,000, of which amount not to exceed \$71,450 may be expended for personal services in the District of Columbia.

**Valuation of property of carriers:** To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (U. S. C., title 49, sec. 19a), and by the "Emergency Railroad Transportation Act, 1933" (48 Stat., p. 221), including one director of valuation at \$10,000 per annum, and traveling expenses, \$700,000.

**Air mail:** To enable the Interstate Commerce Commission to perform the duties imposed upon it by the Act approved June 12, 1934, entitled "An Act to revise air-mail laws, and to establish a Commission to make a report to the Congress recommending an aviation policy" (U. S. C., title 39, secs. 469-469q), as amended by the Act approved August 14, 1935, entitled "An Act to amend the air-mail laws and to authorize the extension of the Air Mail Service" (49 Stat. pp. 614-619), including field hearings, field audits, traveling expenses, contract stenographic reporting services; office supplies and equipment; purchase and exchange of books, reports, and periodicals; \$200,000, of which amount not to exceed \$160,000 may be expended for personal services in the District of Columbia, exclusive of special counsel or special aviation assistants for which the expenditure shall not exceed \$20,000.

**Motor transport regulation:** For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 Stat., pp. 543-567), including one director at \$10,000 per annum and other personal services in the District of Columbia and elsewhere; traveling expenses; supplies; services and equipment; not to exceed \$1,000 for purchase and exchange of books, reports, and periodicals; contract stenographic reporting services; purchase (not to exceed \$6,500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; \$2,450,000; of which amount not exceeding \$75,000 may be expended for rent in the District of Columbia if Government-

Services in the District.

Locomotive inspection.  
36 Stat. 913; 38 Stat. 1192; 40 Stat. 616; 43 Stat. 659; 46 Stat. 822.  
45 U. S. C. §§ 22, 30.

Additional inspectors.

36 Stat. 914; 43 Stat. 659; 46 Stat. 823.  
45 U. S. C. §§ 27, 26, 24.

Services in the District.

Valuation of property of carriers.  
37 Stat. 701; 40 Stat. 270; 42 Stat. 624.  
49 U. S. C. § 19a.

Emergency Railroad Transportation Act, 1933.  
48 Stat. 221.

Air mail.  
48 Stat. 933, 1243.  
39 U. S. C. §§ 469-469q.

49 Stat. 614.  
39 U. S. C., Supp. II, §§ 469a-469m.

Services in the District.

Motor transport regulation, expenses.

49 Stat. 543.  
49 U. S. C., Supp. II, §§ 301-327.

*Proviso.*  
Use of Government  
transportation re-  
quests.

Attendance at meet-  
ings.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and bind-  
ing.

*Proviso.*  
Schedule of Sailings  
excluded.  
41 Stat. 497.  
49 U. S. C. § 25.

National Advisory  
Committee for Aero-  
nautics.  
All expenses, scien-  
tific research, etc.

Langley Labora-  
tory.

Allowances.

46 Stat. 818.  
5 U. S. C. § 118a.

Printing and bind-  
ing.

National Archives.

Salaries and ex-  
penses.  
48 Stat. 1122.  
40 U. S. C. §§ 231-  
241.

49 Stat. 500.  
44 U. S. C., Supp.  
II, §§ 301-314.  
49 Stat. 1821.  
40 U. S. C., Supp.  
II, § 238.

Apparatus, mate-  
rials, etc.

owned facilities are not available: *Provided*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as Joint Board members.

Not to exceed \$2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

In all, salaries and expenses, Interstate Commerce Commission, \$7,764,500: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed \$10,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, \$175,000: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Total, Interstate Commerce Commission, \$7,939,500.

## NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to exceed \$1,000 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and the District of Columbia; in all, \$1,259,850, of which amount not to exceed \$2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed \$1,700 for any one person and not to exceed \$115,000 for personal services in the District of Columbia.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, \$21,000.

Total, National Advisory Committee for Aeronautics, \$1,280,850.

## NATIONAL ARCHIVES

Salaries and expenses: For the Archivist and for all other authorized expenditures of the National Archives in carrying out the provisions of the Act of June 19, 1934 (48 Stat. 1122-1124; U. S. C., title 40, ch. 2A); the Act of July 26, 1935 (49 Stat. 500-503; U. S. C., Supp. I, title 44, ch. 8A); and the Act of June 22, 1936 (Public, Numbered 756, Seventy-fourth Congress), including personal services in the District of Columbia; supplies and equipment, including scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic

records (including motion-picture films) and sound recordings in the custody of the Archivist; purchase and exchange of books, including law books, books of reference, maps, and charts; contract stenographic reporting services; purchase of newspapers, periodicals, and press clippings; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; travel expenses, including not to exceed \$1,000 for the expenses of attendance at meetings concerned with the work of the National Archives; repairs to equipment; maintenance and operation of motor vehicles, including the purchase and exchange of one passenger-carrying automobile for official use; and all other necessary expenses, \$700,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the National Archives when the aggregate cost involved does not exceed the sum of \$50.

Printing and binding: For all printing and binding for the National Archives, \$17,000.

Total, The National Archives, \$717,000.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land, purchase, exchange, operation, and maintenance of passenger-carrying vehicles for official use, \$893,700, to be expended in carrying out the provisions of section 4 of said Act, and to remain available until expended.

#### NATIONAL LABOR RELATIONS BOARD

Salaries and expenses: For three Board members, and for all other authorized and necessary expenditures of the National Labor Relations Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere; repairs and alterations; communications; contract stenographic reporting services, and not to exceed \$300 for law books; books of reference; newspapers; periodicals; operation, maintenance, and repair of one automobile; \$750,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50.

Printing and binding: For all printing and binding for the National Labor Relations Board in Washington and elsewhere, \$35,000.

Total, National Labor Relations Board, \$785,000.

Membership fees.

Attendance at meetings.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

National Capital  
Park and Planning  
Commission.  
All expenses.

46 Stat. 482.

Personal services.

5 U. S. C. §§ 661-674.

Acquisition of land.  
Vehicles.

National Labor Re-  
lations Board.

Salaries and ex-  
penses.  
49 Stat. 451.

*Proviso.*  
Minor purchases.

R. S. § 3709.  
41 U. S. C. § 5.

Printing and bind-  
ing.  
*Foot*, p. 758.

## National Mediation Board.

Salaries and expenses.  
48 Stat. 1193.  
45 U. S. C. § 154.

## NATIONAL MEDIATION BOARD

For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed \$200 for newspapers, books of reference and periodicals, \$140,700, of which amount not to exceed \$107,060 may be expended for personal services in the District of Columbia.

## Arbitration boards.

Arbitration boards: To enable the National Mediation Board to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balance of previous appropriations for this purpose shall be available.

## Emergency boards.

44 Stat. 586.  
45 U. S. C. § 160.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (U. S. C., title 45, sec. 160), the unexpended balance of previous appropriations for this purpose shall be available.

## Printing and binding.

For all printing and binding for the National Mediation Board, \$2,500.

## National Railroad Adjustment Board.

Expenses.  
48 Stat. 1189.

## NATIONAL RAILROAD ADJUSTMENT BOARD

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, \$207,565, of which \$47,900 shall be available only for services of referees and not more than \$105,460 may be expended for other personal services.

## Printing and binding.

For all printing and binding for the National Railroad Adjustment Board, \$35,000.

Total, National Railroad Adjustment Board, \$242,565.

Total, National Mediation Board, \$385,765.

## Oil lands in former naval reserves.

## PROTECTION OF INTERESTS OF THE UNITED STATES IN MATTERS AFFECTING OIL LANDS IN FORMER NAVAL RESERVES

Expenses, protection of interests in matters affecting.

43 Stat. 15.

Protection of interests of the United States in matters affecting oil lands in former naval reserves: For compensation and expenses of special counsel and for all other expense, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the joint resolution entitled "Joint resolution directing the Secretary of the Interior to institute proceedings touching sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian", approved February 21, 1924, \$34,000, to be expended by the President: *Provided*, That no part of this sum shall be used to compensate any person at a rate in excess of \$10,000 per annum.

*Proviso.*  
Compensation restriction.

## Railroad Retirement Board.

Salaries and expenses.

## RAILROAD RETIREMENT BOARD

For salaries and expenses, Railroad Retirement Board: For three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties

imposed by law or in pursuance of law, including rent; personal and other services in the District of Columbia and elsewhere; traveling expenses, including not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; not to exceed \$2,500 for payment of actual transportation expenses, and per diem (not to exceed \$10) in lieu of subsistence and other expenses, of persons serving while away from their homes without other compensation in an advisory capacity to the Railroad Retirement Board; repairs and alterations; contract stenographic reporting services; office appliances and labor-saving devices; supplies and equipment (including photographic equipment); not to exceed \$2,000 for law books, books of reference, newspapers, press clippings, periodicals, and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and elsewhere; and other necessary expenses; \$2,300,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount does not exceed \$50.

For the payment of annuities to employees, representatives, widows, widowers, or dependent next of kin of employees, as provided in sections 3, 4, and 5 of the Railroad Retirement Act of 1935 (Act August 29, 1935, 49 Stats., pp. 969-970), the unexpended balance of the appropriation for this purpose for the fiscal year 1937 is continued available for the same purpose for the fiscal year 1938.

For printing and binding for the Railroad Retirement Board, \$25,000.

Total, Railroad Retirement Board, \$2,325,000.

## RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, including the salary of the Administrator and other personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance of officers and employees at meetings when determined by the Administrator to be necessary in furthering the work of the Administration; contract stenographic reporting services; expert witness fees; materials, supplies, equipment, and services; rentals, including buildings and parts of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; not to exceed \$200 for newspapers and press clippings; financial and credit reports; purchase, rental, exchange, operation, maintenance, and repair of typewriters, calculating machines, and other office appliances; and all other expenses necessary to administer said Act, \$1,450,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed \$100.

Printing and binding: For printing and binding for the Rural Electrification Administration, \$70,000.

Attendance at meetings.

Details of officers in an advisory capacity.

Supplies, etc.

Membership, etc., fees.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Annuities.

49 Stat. 969.  
45 U. S. C., Supp.  
II, §§ 217-219.  
Balance continued available.

Printing and binding.

Rural Electrification Administration.

Salaries and expenses.

*Proviso.*  
Minor purchases, etc.  
41 U. S. C. § 5.

Printing and binding.

Loans and purchase of property.  
49 Stat. 1364.  
7 U. S. C., Supp. II, §§ 903-905.

Loans, Rural Electrification Administration: For loans in accordance with sections 3, 4, and 5, and the purchase of property in accordance with section 7, of the Rural Electrification Act of May 20, 1936 (49 Stat., p. 1363), \$30,000,000.

Total, Rural Electrification Administration, \$31,520,000.

Securities and Exchange Commission.

## SECURITIES AND EXCHANGE COMMISSION

Commissioners, and other expenses.

For five Commissioners, and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of quarters outside the District of Columbia; rental of equipment; and other necessary expenses; \$3,850,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Securities and Exchange Commission when the aggregate cost involved does not exceed the sum of \$50.

*Proriso.*  
Minor purchases, etc.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

For all printing and binding for the Securities and Exchange Commission, \$45,000.

Total, Securities and Exchange Commission, \$3,895,000.

Smithsonian Institution.

## SMITHSONIAN INSTITUTION

Administrative expenses, etc.

For expenses of the general administrative office, Smithsonian Institution, compensation of necessary employees, traveling expenses, purchase of books and periodicals, supplies and equipment, and any other necessary expenses, \$36,330.

International exchanges.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees, and purchase of necessary books and periodicals, and traveling expenses, \$44,260.

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, \$58,730.

Astrophysical Observatory.

Astrophysical Observatory: For maintenance of the Astrophysical Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, \$30,850.

National Museum.

## NATIONAL MUSEUM

Equipment, etc.

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary inci-

dental expenses, \$144,840, of which \$10,450 shall be available only for installation of a water main and water line and the purchase of fire hose.

Preservation of collections: For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding \$3,000 for purchase of books, pamphlets, and periodicals, \$609,380.

Preservation of collections.

#### NATIONAL GALLERY OF ART

For the administration of the National Gallery of Art by the Smithsonian Institution, including compensation of necessary employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, \$34,275.

National Gallery of Art.  
Administrative expenses.

#### PRINTING AND BINDING

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$65,000, of which not to exceed \$8,000 shall be available for printing the report of the American Historical Association.

Printing and binding.

American Historical Association report.

Total, Smithsonian Institution, \$1,023,665, of which amount not to exceed \$846,000 may be expended for personal services in the District of Columbia.

#### SOCIAL SECURITY BOARD

Salaries and expenses: For all authorized and necessary administrative expenses of the Social Security Board in performing the duties imposed upon it in titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of \$9,000 a year, a director of the old-age benefits division at a salary of \$9,000 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the chairman; not to exceed \$10,000 for payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their home, without other compensation, in an advisory capacity to the Social Security Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices; services; advertising, postage, telephone, telegraph, and not to exceed \$900 for teletype news services and tolls; newspapers and press clippings (not to exceed \$1,500), periodicals, manuscripts and special reports, purchase and exchange of law books and other books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; alterations and repairs; rentals, including garages, in the District of Columbia or elsewhere; purchase and exchange, not to exceed \$35,000, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and in the field; and miscellaneous items, including those for public instruction and information deemed necessary by the Board,

Social Security Board.

Salaries and expenses.  
49 Stat. 620-629, 635, 639, 645.  
42 U. S. C., Supp. II, § 301—  
Post, p. 759.

Travel expenses.

Details for advisory purposes.

Supplies.

Vehicles.



Balance reappropriated.

*Provisos.*  
Minor purchases,  
etc.  
R. S. § 3709.  
41 U. S. C. § 5.  
Special accounting,  
etc., services.

R. S. § 3709.  
41 U. S. C. § 5.

Salary restriction.  
5 U. S. C. §§ 661-674.

Board members ex-  
cepted.  
Experts and attor-  
neys, appointment re-  
striction.

Printing and bind-  
ing.  
Grants to States.  
Old-age assistance.  
49 Stat. 620.

*Proviso.*  
Payments restrict-  
ed.

Unemployment  
compensation admin-  
istration.  
49 Stat. 625.

Balance available.  
49 Stat. 1605.

Aid to dependent  
children.  
49 Stat. 627.

Availability.

*Proviso.*  
Payments restrict-  
ed.

\$9,500,000, together with any unexpended balance of the appropriation for the same purpose contained in the First Deficiency Appropriation Act, fiscal year 1936: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase by the Board when the aggregate amount involved does not exceed the sum of \$100: *Provided further*, That the Board may expend not to exceed \$40,000 of the sum herein appropriated for employing persons or organizations, by contract or otherwise, for special accounting, actuarial, statistical, and reporting, engineering, and organizational services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: *Provided further*, That no salary shall be paid for personal services from the money herein appropriated under the heading "Social Security Board" in excess of the rates allowed by the Classification Act of 1923, as amended, for similar services: *Provided further*, That this proviso shall not apply to the salaries of the Board members: *Provided further*, That none of the funds herein appropriated under the heading "Social Security Board" shall be used to pay the salary of any expert or attorney receiving compensation of \$5,000 or more per annum unless and until such expert or attorney shall be appointed by the President, by and with the advice and consent of the Senate.

For printing and binding for the Social Security Board, \$1,000,000.

Grants to States for old-age assistance: For grants to States for assistance to aged needy individuals, as authorized in title I of the Social Security Act, approved August 14, 1935, \$132,000,000, of which sum such amount as may be necessary shall be available for grants under such title I for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title I may be made with respect to any State plan approved under such title I by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, \$19,000,000, together with any unexpended balance of the appropriation for the same purpose contained in the First Deficiency Appropriation Act, fiscal year 1936, of which sum such amount as may be necessary shall be available for grants under such title III for any period in the fiscal year 1937 from and after January 1, 1937.

Grants to States for aid to dependent children: For grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, as authorized in title IV of the Social Security Act, approved August 14, 1935, \$54,600,000, of which sum such amount as may be necessary shall be available for grants under such title IV for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title IV may be made with respect to any State plan approved under such title IV by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Grants to States for aid to the blind: For grants to States for the purpose of enabling each State to furnish financial assistance to needy individuals who are blind, as authorized in title X of the Social Security Act, approved August 14, 1935, \$10,000,000, of which sum such amount as may be necessary shall be available for grants under such title X for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title X may be made with respect to any State plan approved under such title X by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

The appropriations herein made for "Grants to States for old-age assistance", "Grants to States for aid to dependent children", and "Grants to States for aid to the blind", shall be available interchangeably for transfer of appropriations but no such transfer shall be made except upon approval of the Director of the Bureau of the Budget.

Total, Social Security Board, \$226,100,000.

### TARIFF COMMISSION

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U. S. C., title 19, secs. 1330-1341), \$925,000, of which amount not to exceed \$2,500 may be expended for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed \$7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but not to exceed \$1,700 for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50: *Provided further*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

For all printing and binding for the Tariff Commission, \$20,000.

Total, Tariff Commission, \$945,000.

### VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., title 38, secs.

Aid to the blind.  
49 Stat. 645.

Availability.

*Proviso.*  
Payments restrict-  
ed.

Designated funds  
interchangeable.

Tariff Commission.

Salaries and ex-  
penses.

Reporting services.  
46 Stat. 696.  
19 U. S. C. §§ 1330-  
1341.

Attendance at meet-  
ings.

Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

*Proviso.*  
Minor purchases,  
etc.  
R. S. § 3709.  
41 U. S. C. § 5.

Salary restriction.  
46 Stat. 701.  
19 U. S. C. §§ 1336-  
1338.

Printing and bind-  
ing.

Veterans' Adminis-  
tration.

Administration,  
medical, hospital, and  
domiciliary services.  
Salaries and ex-  
penses.

46 Stat. 1016.  
38 U. S. C. §§ 11-11f.

11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$94,000,000: *Provided*, That not to exceed \$3,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed \$2,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U. S. C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

*Provisos.*  
Attendance at meetings, etc.

Services, rentals, traveling expenses, etc.

Wearing apparel.

Vehicles.

Transporting employees' children to schools.

Actuarial services.

Transfer of applicable funds.

Recreational facilities, etc.

Burial, etc., expenses.

Purchase of tobacco.

Aid to State, etc., homes.

25 Stat. 450.  
24 U. S. C. § 134.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$4,000,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, \$125,000.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, accruing during the fiscal year 1938 or in prior fiscal years, \$400,955,000, to be immediately available.

For military and naval insurance accruing during the fiscal year for which this appropriation is made or in prior fiscal years, \$88,752,000.

Adjusted service and dependent pay: For payment of adjusted-service credits of not more than \$50 each and the quarterly installments due to dependents of deceased veterans, as provided in the Act of May 19, 1924, as amended (U. S. C., title 38, secs. 631-632, 661-670; U. S. C., Supp. I, secs. 662-664), \$2,000,000, to be immediately available and to remain available until expended.

Total, Veterans' Administration, \$585,832,000: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

## EMERGENCY AGENCIES

### COMMODITY CREDIT CORPORATION

Not to exceed \$525,000 of the funds of the Commodity Credit Corporation, established as an agency of the Government by Executive Order Numbered 6340, dated October 16, 1933, continued to April 1, 1937, as a governmental agency under section 7 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), and further continued to June 30, 1939, by the Act of January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books and books of reference; not to exceed \$150 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which

Restriction on new construction, etc.

Improving facilities.

Printing and binding.

Pensions.

Military and naval insurance.

Adjusted service and dependent pay.

43 Stat. 125.  
38 U. S. C. §§ 631-632, 661-670; Supp. II, §§ 662, 664.

*Proviso.*  
Butter substitutes.

Emergency Agencies.

Commodity Credit Corporation.

Funds available for administrative expenses.

49 Stat. 4.

*Ante*, p. 5.

44 Stat. 688.  
5 U. S. C. §§ 821-833.

*Proviso.*  
Designated services, etc., deemed nonadministrative.

it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

### ELECTRIC HOME AND FARM AUTHORITY

Electric Home and Farm Authority.

Funds available for administrative expenses.

*Post*, p. 757.

49 Stat. 1186.

*Ante*, p. 5.

44 Stat. 688.  
5 U. S. C. §§ 821-833.

*Proviso.*  
Designated services, etc., considered non-administrative.

Not to exceed \$300,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order Numbered 7139 of August 12, 1935, continued to February 1, 1937, by the Act of March 31, 1936 (Public, Numbered 48½, Seventy-fourth Congress), and continued further until June 30, 1939, by the Act of January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books and books of reference; not to exceed \$200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority, shall be considered as nonadministrative expenses for the purposes hereof.

### EXPORT-IMPORT BANK OF WASHINGTON

Export-Import Bank of Washington.

Funds available for administrative expenses.

49 Stat. 4.

*Ante*, p. 5.

44 Stat. 688.  
5 U. S. C. §§ 821-833.

*Proviso.*  
Designated services, etc., considered non-administrative.

Not to exceed \$50,000 of the funds of the Export-Import Bank of Washington, established as an agency of the Government by Executive Order Numbered 6581 of February 2, 1934, continued until June 16, 1937, by the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), and further continued until June 30, 1939, under the Act approved January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the bank, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books and books of reference; not to exceed \$250 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

### FEDERAL HOME LOAN BANK BOARD

Federal Home Loan Bank Board.

Administrative expenses.

47 Stat. 725.

For the administrative expenses of the Federal Home Loan Bank Board, established by the Federal Home Loan Bank Act of July 22, 1932 (47 Stat., p. 725), including personal services in the District

of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent outside of the District of Columbia; payment, when specifically authorized by the Board, of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Board; use of the services and facilities of the Home Owners' Loan Corporation and the Federal Savings and Loan Insurance Corporation; and all other necessary administrative expenses, \$1,140,000, payable from assessments upon the Federal home loan banks and receipts of the Federal Home Loan Bank Board from other sources for the fiscal year 1938 and prior fiscal years: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under said Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of said Act of July 22, 1932, as amended (U. S. C., title 12, secs. 1421-1449).

### HOME OWNERS' LOAN CORPORATION

Not to exceed \$30,000,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat., p. 128), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Home Owners' Loan Act of 1933, as amended (U. S. C., title 12, secs. 1461-1468).

44 Stat. 688.  
5 U. S. C. §§ 821-833.

Supplies, etc.

Use of other services  
and facilities.

*Provisos.*  
Designated services,  
etc., considered non-  
administrative.

Payment of admin-  
istrative, etc., ex-  
penses.

47 Stat. 725.  
12 U. S. C. §§ 1421-  
1449.

Home Owners'  
Loan Corporation.

Salaries and expen-  
ses.  
48 Stat. 128.

44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and bind-  
ing.  
Supplies.

Use of designated  
services.

*Provisos.*  
Designated services,  
etc., deemed nonad-  
ministrative.

Allowances for ex-  
penses.

12 U. S. C. §§ 1461-  
1468.

## FEDERAL HOUSING ADMINISTRATION

Federal Housing Administration.

Administrative expenses.  
*Post*, p. 758.

48 Stat. 1246.

44 Stat. 688.  
5 U. S. C. §§ 821-833.

Supplies, etc.

Attendance at meetings.

*Provisos.*  
Designated services, etc., considered non-administrative.

Payment of administrative, etc., expenses.

48 Stat. 1246.  
12 U. S. C. §§ 1701-1723.

Amount for Public Relations and Education Division.

Reconstruction Finance Corporation.

Administrative expenses.  
47 Stat. 5.  
15 U. S. C. §§ 601-617.

44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and binding.

Not to exceed \$10,000,000 of the funds advanced by the Reconstruction Finance Corporation to the Federal Housing Administration, created under authority of the National Housing Act of June 27, 1934 (48 Stat., p. 1246), shall be available during the fiscal year 1938 for administrative expenses of the Administration, including: Personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833), except employees engaged in the inspection of property may be paid an allowance not to exceed 4 cents per mile for all travel performed by motor vehicle in connection with such inspection; printing and binding; law books, books of reference, and not to exceed \$1,500 for periodicals and newspapers; not to exceed \$1,500 for contract actuarial services; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Administration; not to exceed \$2,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of title II of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof, and shall be paid from the mutual mortgage insurance fund created by said Act: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (U. S. C., title 12, secs. 1701-1723): *Provided further*, That not exceeding \$300,000 of the sum herein authorized to be advanced from the Reconstruction Finance Corporation shall be expended in the District of Columbia during the fiscal year 1938 for purposes of the Public Relations and Education Division.

## RECONSTRUCTION FINANCE CORPORATION

Not to exceed \$9,500,000 of the funds of the Reconstruction Finance Corporation, established by the Act of January 22, 1932 (47 Stat., p. 5), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, and of the RFC Mortgage Company, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment,

and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or the RFC Mortgage Company or in which they have an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 22, 1932, as amended (U. S. C., title 15, secs. 601-617).

*Proviso.*  
Designated expenses considered nonadministrative.

Payment of administrative, etc., expenses.

47 Stat. 5.  
15 U. S. C. §§ 601-617.

## FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Federal Emergency Administration of Public Works.

Not to exceed \$10,000,000 of the amount of \$300,000,000 made available, upon the direction of the President, to the Federal Emergency Administration of Public Works by Emergency Relief Appropriation Act of 1936 shall be available during the fiscal year 1938 for administrative expenses in connection with the liquidation of said Administration, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$500 for periodicals, newspapers, and press clippings; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; not to exceed \$1,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of Title II of the National Industrial Recovery Act.

Administrative expenses.  
*Post*, p. 358.

44 Stat. 688.  
5 U. S. C. §§ 821-833.

Labor-saving devices.

*Proviso.*  
Payment of administrative, etc., expenses.  
48 Stat. 200.

## FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Federal Savings and Loan Insurance Corporation.

Not to exceed \$256,180 of the funds of the Federal Savings and Loan Insurance Corporation, established by title IV of the National Housing Act of June 27, 1934 (48 Stat., p. 1246), shall be available during the fiscal year 1938, for administrative expenses of the Corporation, including personal services, in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$250 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including

Administrative expenses.  
48 Stat. 1246.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and binding.



Use of services, etc., of designated agencies.

*Proviso.*  
Designated expenses deemed non-administrative.

Payment of administrative, etc., expenses.

48 Stat. 1256.  
12 U. S. C. §§ 1725-1732.

Salaries limited to average rates under Classification Act.  
5 U. S. C. §§ 661-674.

*Proviso.*  
Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salary.  
5 U. S. C. § 666.  
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

Interstate Commerce Commission and Tariff Commission; salary rates of Commissioners.

Short title.

their repair and exchange; use of the services and facilities of the Federal Home Loan Bank Board, Federal home loan banks, Federal Reserve banks, and agencies of the Government as authorized by said title IV; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the liquidation of insured institutions under said title IV shall be considered as non-administrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (U. S. C., title 12, secs. 1725-1732).

SEC. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

SEC. 3. During the fiscal year ending June 30, 1938, the salaries of the Commissioners of the Interstate Commerce Commission and the Commissioners of the United States Tariff Commission shall be at the rate of \$10,000 each per annum.

SEC. 4. This Act may be cited as the "Independent Offices Appropriation Act, 1938".

Approved, June 28, 1937.

## [CHAPTER 401]

## JOINT RESOLUTION

Making appropriations for relief purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I

That in order to continue to provide relief, and work relief on useful public projects, in the United States and its Territories and possessions (including projects heretofore approved for the Works Progress Administration which projects shall not be subject to the limitations hereinafter specified in this section), there is hereby

June 29, 1937  
[H. J. Res. 361]  
[Pub. Res., No. 47]

Emergency Relief Appropriation Act of 1937.

Continuation of relief and work relief appropriation for.

appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1938, and to be used in the discretion and under the direction of the President, \$1,500,000,000 together with such unexpended balances, as the President may determine, of appropriations made by (a) the second paragraph of the Emergency Relief Appropriation Act of 1936, as supplemented by the First Deficiency Appropriation Act, fiscal year 1937, and (b) section 1 of the Emergency Relief Appropriation Act of 1935, including the unexpended balances of appropriations referred to therein: *Provided*, That this appropriation shall be available for the following classes of public projects, Federal and non-Federal, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (a) Highways, roads, and streets, \$415,000,000; (b) public buildings, parks and other recreational facilities, including buildings therein, public utilities, electric transmission and distribution lines or systems to serve persons in rural areas including projects sponsored by and for the benefit of nonprofit and cooperative associations, sewer systems, water supply and purification, airports and other transportation facilities, flood control, conservation, eradication of insect pests, and miscellaneous work projects, \$630,000,000; (c) assistance for educational, professional, and self-help, and clerical persons and women's projects, \$380,000,000; and (d) National Youth Administration, \$75,000,000: *Provided further*, That no portion of the funds hereby appropriated shall be allocated or used for any purpose except to provide relief or work relief for persons in need: *Provided further*, That not to exceed 5 per centum of the amount allotted or used by any department or agency may be expended for administration of such relief or work relief; except that this provision shall not apply to allocations made to the General Accounting Office, the Department of Justice, the Treasury Department, the Employees' Compensation Commission, the United States Employment Service of the Department of Labor, the Bureau of Air Commerce of the Department of Commerce, the National Emergency Council, the Resettlement Administration or to the Prison Industries Reorganization Administration, for administrative expenses in performing functions for or on behalf of the relief or work-relief program: *Provided further*, That the amount specified for any of the foregoing classes may be increased proportionately in accordance with the amount of such unexpended balances as the President transfers for the purposes of this section from the appropriations made by (a) the Emergency Relief Appropriation Act of 1935 and (b) the Emergency Relief Appropriation Act of 1936, as supplemented: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transfer of an amount or amounts from any other class or classes in order to effectuate the purposes of the foregoing appropriation: *Provided*, That no Federal construction project shall be undertaken or prosecuted under this appropriation unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion; and no non-Federal project shall be undertaken or prosecuted under this appropriation unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as is not to be supplied from Federal funds. This appropriation shall be available for expenditure by the Resettlement Administration for such loans, relief, and rural rehabilitation for needy persons as the President may determine, including such cost of administration as the President may direct: *Provided*, That no person employed on work projects and certified as in need

Balances reappropriated.  
49 Stat. 1608.  
*Ante*, p. 10.  
49 Stat. 115.

*Provisos.*  
Classes of projects;  
amounts.

Use restricted.

Amount for administration.

Exceptions.

Proportionate increases permitted; use of balances.

49 Stat. 115, 1608.

Interchange of funds.

Work forbidden unless sum for completion allocated.

Non-Federal projects.

Expenditure for loans, relief, etc.

Refusal of private employment offer.

Expiration of private employment.

Apportionment and distribution to cover total amount for year.

Rules and regulations.

Provisos. Prevailing rates of pay.

Voluntary and uncompensated services.

Employing needy not heretofore listed.

Restriction on employment.

Restoration to rolls where separation not due to fault of enrollee, etc.

Adjusted compensation not considered in determining need of employment.

Employment of illegally entered, etc., aliens on projects, restriction.

of relief who refuses a bona-fide offer of private employment under reasonable working conditions which pays as much or more in compensation for the same length of service as such person receives or could receive under this appropriation and who is capable of performing such work, shall be retained in employment under this appropriation for the period such private employment would be available: *Provided further*, That any person who takes such private employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status under this appropriation if he is still in need of relief and if he has lost the private employment through no fault of his own.

The funds herein appropriated shall be so apportioned and distributed over the twelve months of the fiscal year ending June 30, 1938, and shall be so administered during such fiscal year, as to constitute the total amount that will be furnished during such fiscal year for relief purposes.

SEC. 2. In carrying out the purposes of the foregoing appropriation the President is authorized (a) to prescribe such rules and regulations as may be necessary and to utilize agencies within the Government and to empower such agencies to prescribe rules and regulations to carry out the functions delegated thereto by the President: *Provided*, That the rates of pay for persons engaged upon projects under the foregoing appropriation shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Works Progress Administration with the approval of the President; and (b) to accept and utilize voluntary and uncompensated services, and utilize, with the consent of the State, such State and local officers and employees as may be necessary, and prescribe their authorities, duties, and responsibilities: *Provided, however*, That in the employment of persons, applicants in actual need whose names have not heretofore been placed on relief rolls shall be given the same eligibility for employment as applicants whose names have heretofore appeared on such rolls: *Provided further*, That in order to insure the fulfillment of the purposes for which the foregoing appropriation is made and to avoid competition between the Works Progress Administration and other Federal or non-Federal agencies in the employment of labor on construction projects of any nature whatsoever, financed in whole or in part by the Federal Government, no relief worker shall be eligible for employment on any project of the Works Progress Administration who has refused to accept employment on any other Federal or non-Federal project at a wage rate comparable with or higher than the wage rate established for similar work on projects of the Works Progress Administration: *Provided further*, That any relief worker who has been engaged on any Federal or non-Federal project and whose service has been regularly terminated through no fault of his own shall not lose his eligibility for restoration to the relief rolls or for reemployment on any other Federal or non-Federal project on account of such previous employment: *Provided further*, That the fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an adjusted-compensation certificate shall not be considered in determining actual need of such employment.

SEC. 3. The departments, agencies, or establishments having supervision of projects for which funds from the foregoing appropriation are made available shall not knowingly employ on such projects aliens illegally within the limits of the United States or aliens who have not filed declaration of intention to become citizens, and they shall

make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and if employed and their status as such alien is disclosed they shall thereupon be discharged: *Provided*, That preference shall be given to American citizens who are in need of relief in employment by the Works Progress Administration and next those aliens who are in need of relief and who have declared their intention to become citizens prior to the enactment of this joint resolution: *Provided further*, That veterans of the World War and Spanish War who are in need of relief shall be given preference for employment by the Works Progress Administration.

*Provisos.*  
Preference to be  
given citizens, etc.

World War and  
Spanish War veter-  
ans.

SEC. 4. Any Administrator or other officer named to have general supervision at the seat of government over the program and work contemplated under the foregoing appropriation and receiving a salary of \$5,000 or more per annum from such appropriation, and any State or regional administrator receiving a salary of \$5,000 or more per annum from such appropriation shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Administrators, gen-  
eral supervisors; ap-  
pointment, etc.

*Proviso.*  
Recess appoint-  
ments.  
R. S. § 1761.  
5 U. S. C. § 56.

SEC. 5. Appointments to Federal positions of an administrative or advisory capacity under the foregoing appropriation in any State shall be made from among the bona-fide citizens of that State so far as not inconsistent with efficient administration.

Federal administra-  
tive, etc., positions in  
States; appointments.

So far as not inconsistent with efficient administration no part of the sums appropriated by this joint resolution shall be available to pay the compensation of any officer or employee of the United States who holds an administrative, executive, or supervisory position under this joint resolution, if the position is in any office located outside the District of Columbia or is on any project prosecuted in any place outside the District of Columbia, unless such person is an actual and bona-fide citizen of the State, Territory, region, or district in which the office or project is situated, but this provision shall not apply to the temporary and emergency assignment of any person to a position where the period of service in such position does not exceed sixty days.

Requirements.

SEC. 6. No part of the foregoing appropriation shall be used to pay the salary or expenses of any person who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general, or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

Candidate for State,  
etc., office or cam-  
paign manager, pay  
restriction.

SEC. 7. Hereafter, so far as not inconsistent with efficient administration, all appointments of persons to the Federal Service for employment within the District of Columbia, under the provisions of this joint resolution, whether such appointments be within the classified Civil Service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

Apportionment of  
appointments.

In making separations from the Federal Service, or furloughs without pay to last as long as three months, of persons employed within the District of Columbia, under the provisions of this joint resolution the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according

Preferential reten-  
tion of appointees ac-  
cording to State popu-  
lation.

*proviso.*  
Soldiers, sailors, and  
marines, etc., prefer-  
ential status.

Disability or death  
compensation, persons  
entitled to, exceptions.  
48 Stat. 351.

National Youth  
Administration.

*Provisos.*  
Limitation.

Special fund cre-  
ated.

Availability.

Cases within pur-  
view of State, etc.,  
workmen's compensa-  
tion laws.

Administrative,  
etc., expenses.

Establishment of  
special funds for ma-  
terials, supplies, etc.

*Proviso.*  
Flood control, etc.,  
projects, certain con-  
struction provisions  
waived.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

False statements  
with intent to de-  
fraud, etc.

to population: *Provided, however,* That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government Service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

SEC. 8. The provisions of the Act of February 15, 1934 (48 Stat. 351), relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the foregoing appropriation for services rendered as employees of the United States and to persons receiving assistance in the form of payments from the United States for services rendered under the National Youth Administration created by Executive order of June 26, 1935: *Provided,* That hereafter the monthly compensation in any individual case heretofore or hereafter coming within the purview of said Act of February 15, 1934, shall not exceed the rate of \$30, exclusive of medical costs: *Provided further,* That so much of the foregoing appropriation as the United States Employees' Compensation Commission, with the approval of the Director of the Bureau of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1938, such special fund shall be available for such purposes annually in such amounts as may be specified therefor in the annual appropriation Acts: *Provided further,* That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State or Territory, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 9. Subject to the limitations of section 1 of this joint resolution so much of the foregoing appropriation as may be determined by the President to be necessary for administrative expenses of any department, establishment, or agency of the United States for additional work incident to carrying out the purposes of such appropriation or the provisions of section 5 of the Emergency Relief Appropriation Act of 1935, or as may be necessary for administrative expenses of the National Resources Committee, may be allotted therefor by the President, and the funds so allotted shall be available until June 30, 1938, for expenditure in the discretion of the President for the purposes and in accordance with the provisions of the first paragraph of section 3 of said Act.

SEC. 10. In carrying out the purpose of the foregoing appropriation the President is authorized to prescribe rules and regulations for the establishment of special funds in the nature of revolving funds for use, until June 30, 1938, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools: *Provided,* That the requirement in section 1 hereof that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control and water-conservation projects authorized by other law and prosecuted hereunder.

SEC. 11. The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured in connection with the foregoing appropriation when the aggregate amount involved is less than \$300.

SEC. 12. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the fore-

going appropriation, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriation, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, or political affiliations, deprives any person of any of the benefits to which he may be entitled under such appropriation, or attempts so to do, or assists in so doing, shall be deemed guilty of a misdemeanor and fined not more than \$2,000 or imprisoned not more than one year, or both.

SEC. 13. The Works Progress Administrator is hereby authorized and directed to liquidate and wind up the affairs of the Federal Emergency Relief Administration established under the Act of May 12, 1933, as amended, and funds available to said Federal Emergency Relief Administration shall be available for expenditure for such purpose until June 30, 1938.

SEC. 14. A report of the operations under the foregoing appropriation, including a statement of the expenditures made and obligations incurred by classes and amounts, shall be submitted by the President to Congress before the 15th day of January in each of the next two regular sessions of Congress.

SEC. 15. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

SEC. 16. Title I of this joint resolution may be cited as the "Emergency Relief Appropriation Act of 1937".

## TITLE II

SEC. 201. The Federal Emergency Administration of Public Works (herein called the "Administration") is hereby continued until July 1, 1939, and until such date is hereby authorized to continue to perform all functions which it is authorized to perform on June 29, 1937. All provisions of law existing on June 29, 1937, and relating to the availability of funds for carrying out any of the functions of such Administration are hereby continued until July 1, 1939, except that the date specified in the Emergency Relief Appropriation Act of 1936, prior to which, in the determination of the Federal Emergency Administrator of Public Works (herein called the "Administrator"), a project can be substantially completed is hereby changed from "July 1, 1938" to "July 1, 1939".

SEC. 202. The amount which the Reconstruction Finance Corporation is authorized by existing law to have invested at any one time in securities purchased from the Administration is hereby increased from \$250,000,000 to \$400,000,000.

SEC. 203. The amount of funds which the Administrator, upon direction of the President, is authorized to use for grants from moneys realized from the sale of securities is hereby increased from \$300,000,000 to \$359,000,000; and after the date of the enactment of this joint resolution no allotment shall be made by the Administrator for any project the application for which has not been approved by the examining divisions of the Administration prior to such date.

Punishment for.

Federal Emergency Relief Administration, liquidation.  
48 Stat. 55.  
15 U. S. C. §§ 721-728.

Report of operations to Congress.

Restriction on use of funds.

Short title.

Public Works Administration Extension Act of 1937.  
48 Stat. 200.

Reconstruction Finance Corporation, investment in securities increased.

Amount authorized for grants increased.

Appropriation for ex-  
administrative ad-  
penses increased.  
*Ante*, p. 351.

Availability of  
funds for projects des-  
ignated.

*Provisos.*  
Conditions for mak-  
ing allotments.

Grant not to exceed  
amount earmarked.

Increase by transfer  
permitted.

Non-Federal proj-  
ects, new loans for-  
bidden.

Short title.

SEC. 204. The paragraph in the Independent Offices Appropriation Act, 1938, under the caption "Federal Emergency Administration of Public Works" is hereby amended by (a) striking out the words "in connection with the liquidation" and (b) striking out the sum of "\$10,000,000" and inserting in lieu thereof the sum of "\$15,000,000".

SEC. 205. The funds available to the Administrator for the making of loans or grants or loans and grants may be used for projects (in addition to other purposes for which funds may be used) of the following classes, in amounts not to exceed the sums specified for each such class: (a) For school projects (other than those included in subdivisions (b) and (c) of this section) to replace, eliminate, or ameliorate existing school facilities or conditions which, in the determination of the Administrator, are hazardous to the life, safety, or health of school children, \$60,000,000 for grants and \$11,000,000 for loans; (b) for projects which have been authorized, or for the financing of which bonds or other obligations have been authorized, at elections held prior to the date of enactment of this joint resolution, or for projects for which an authority or board constituting an independent corporation without taxing power has been specifically created by a State legislature prior to such date, \$70,000,000 for grants and \$22,000,000 for loans; (c) for projects for which appropriations have been made by the legislatures of the States, \$15,000,000 for grants and \$2,000,000 for loans; (d) for projects to be financed, except for the grant, by the issuance to contractors of tax or assessment securities at not less than their par value: *Provided*, That an allotment shall not be made for any such project unless the applicant has, in the determination of the Administrator, made or incurred substantial expenditures or obligations in contemplation of receiving an allotment, \$5,000,000 for grants; (e) for projects for which funds have been tentatively earmarked by the Administrator but for which formal allotments have not been made, \$54,000,000 for grants and \$78,000,000 for loans: *Provided*, That the grant for any such project shall not exceed the amount tentatively earmarked as a grant for such project: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transferring an amount or amounts from any other class or classes in order to effectuate the purposes of the title.

SEC. 206. No new applications for loans or grants for non-Federal projects shall be received or considered by the Administration after the date of enactment of this joint resolution.

SEC. 207. Title II of this joint resolution may be cited as the "Public Works Administration Extension Act of 1937".

Approved, June 29, 1937, 11 p. m.

[CHAPTER 402]

JOINT RESOLUTION

To provide revenue, and for other purposes.

June 29, 1937  
[H. J. Res. 375]  
[Pub. Res., No. 48]  
Revenue Act of 1932.  
Certain excise and  
miscellaneous taxes  
continued.  
47 Stat. 259, 270-276;  
49 Stat. 431.  
Postage rates.  
47 Stat. 285; 48 Stat.  
254.  
Gasoline tax.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That title IV, as amended, and parts I, II, III, and IV, of title V, as amended, of the Revenue Act of 1932, are further amended by striking out "1937" wherever appearing therein and inserting in lieu thereof "1939". Section 1001 (a), as amended, of the Revenue Act of 1932, and section 2, as amended, of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are further amended by striking out "1937" wherever appearing therein and inserting in lieu thereof "1939".

Approved, June 29, 1937, 10 p. m.

## [CHAPTER 403]

## AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes.

June 29, 1937

[H. R. 5996]

[Public, No. 172]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1938, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, \$5,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1937, and all of the remainder out of the combined revenues of the District of Columbia, namely:

District of Columbia.

Appropriation for expenses of, fiscal year 1938, from District revenues and \$5,000,000 from the Treasury.

## GENERAL EXPENSES

General expenses.

## EXECUTIVE OFFICE

Executive office.

For personal services, \$48,060, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in accordance with the Classification Act of 1923, as amended, with the exception of the two civilian Commissioners the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Office personnel.  
Additional, for Engineer Commissioner.

*Provisos.*  
Salaries limited to average rates under Classification Act; exceptions.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674.

If only one position in a grade.

Advances in meritorious cases.

Restrictions not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfers without pay reduction.

Higher rates permitted.

If only one position in a grade.

Purchasing division.  
Building inspection division.  
Plumbing inspection division.

Purchasing division: For personal services, \$57,000.

Building inspection division: For personal services, \$121,360.

Plumbing inspection division: For personal services, \$43,160; two members of plumbing board at \$150 each; in all, \$43,460.



Smoke and boiler regulation.

49 Stat. 653.

49 Stat. 1917.

Poundmaster's office.

*Proviso.*  
Salary rate.

Public convenience stations.

Maintenance.

Care of District buildings.

Operating force.

*Proviso.*  
Employment of additional assistant engineers or watchmen.

Operating supplies.

Assessor's office.

Collector's office.

Auditor's office.

Personal services.

Examination of estimates of appropriations.  
Disbursing officer permitted other compensation.

Corporation Counsel's office.

Corporation counsel; extra pay, Public Utilities Commission.

Alcoholic Beverage Control Board.

Personal services and expenses.

Coroner's office.

Personal services.  
5 U. S. C. §§ 661-674.

Morgue, etc., expenses.

Smoke and boiler regulation: For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes", approved August 15, 1935 (49 Stat., p. 653), and the Act entitled "An Act to provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia", approved June 25, 1936 (49 Stat., p. 1917), \$20,500.

Office of Poundmaster: For personal services, maintenance and operation of motor vehicles, and other necessary expenses, \$10,490: *Provided*, That the salary of the poundmaster shall be at the rate of \$2,000 per annum.

#### PUBLIC CONVENIENCE STATIONS

For maintenance of public convenience stations, including compensation of necessary employees, \$14,000.

#### CARE OF THE DISTRICT BUILDINGS

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, \$96,700: *Provided*, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or watchmen for the care of the District Buildings.

For fuel, light and power, repairs, laundry, and miscellaneous supplies, \$30,000.

#### ASSESSOR'S OFFICE

For personal services, \$221,000.

#### COLLECTOR'S OFFICE

For personal services, \$47,900.

#### AUDITOR'S OFFICE

For personal services, \$131,700, of which \$5,000 shall be available without reference to the Classification Act of 1923, as amended, and civil-service requirements for examination of estimates of appropriations and for other purposes; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

#### OFFICE OF CORPORATION COUNSEL

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, \$98,060.

#### ALCOHOLIC BEVERAGE CONTROL BOARD

For personal services, street-car and bus transportation, telephone service, not exceeding \$1,000 for the purchase of samples, not exceeding \$100 for witness fees, and other necessary contingent and miscellaneous expenses, \$42,440.

#### CORONER'S OFFICE

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, \$10,600.

For the maintenance of a non-passenger-carrying motor wagon for the morgue, jurors' fees, witness' fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the

necessary expenses of holding inquests, including stenographic services in taking testimony and photographing unidentified bodies, \$4,000.

#### OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

For personal services, \$53,800.

For contingent expenses, and maintenance and repairs to markets, including not to exceed \$1,000 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of motor vehicles, and not exceeding \$750 for the purchase including exchange, of one motor vehicle equipped for making investigations of sales of gasoline and oil by short measure, \$9,175.

Office of Superintendent of Weights, Measures, and Markets.

Personal services.  
Contingent expenses.

Purchase of commodities.

Post, p. 760.

#### OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

For personal services, \$31,940, including \$2,600 for the employment of one safety inspector.

Engineer Department.

Chief Clerk's office.  
Safety inspector.

#### MUNICIPAL ARCHITECT'S OFFICE

For personal services, \$57,980.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of \$2,000,000.

Municipal Architect's office.

Personal services.

Apportionments.

#### PUBLIC UTILITIES COMMISSION

For two commissioners, people's counsel, and for other personal services, \$61,500, of which amount not to exceed \$5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended.

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, \$1,500.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

Public Utilities Commission.

Commissioners,  
people's counsel, etc.  
Experts.

Incidental, etc., expenses.

Issuance of orders  
requiring meters in  
taxicabs forbidden.

#### BOARD OF EXAMINERS, STEAM ENGINEERS

Salaries: Two members, at \$150 each, \$300, and the inspector of boilers shall serve without additional compensation.

Examiners, steam engineers.

Salaries; boiler inspector.

#### DEPARTMENT OF INSURANCE

For personal services, including one fire-insurance-rate expert at not exceeding \$4,600 per annum, \$29,220.

Insurance department.

#### SURVEYOR'S OFFICE

For personal services, \$79,000.

For completing the rebinding and repairing of record books in the office of the surveyor of the District of Columbia, showing properties in the District of Columbia, \$2,500.

Surveyor's office.

Personal services.  
Record books, repair, etc.

## Minimum Wage Board.

## MINIMUM WAGE BOARD

## Personal services.

For personal services, including not to exceed \$2,500 for the secretary of the Board, \$8,040.

## Contingent expenses.

For equipment, transportation, and other necessary expenses, \$575.

## Employees' compensation fund.

## DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

## Payments for injuries.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, \$41,000.

39 Stat. 742.  
5 U. S. C. §§ 751-796.

## Administrative expenses, compensation to injured employees.

Administrative expenses, compensation to injured employees in the District of Columbia: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (45 Stat., p. 600), \$53,300, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", \$53,000, and "Printing and binding", \$300.

## Transfer to Commission.

## Retirement Act; contribution from District revenues.

For financing of the liability of the government of the District of Columbia, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 5, sec. 707a), \$842,760, which amount shall be placed to the credit of the "civil service retirement and disability fund."

5 U. S. C. § 707a.

## Department of Vehicles and Traffic.

## DEPARTMENT OF VEHICLES AND TRAFFIC

## Personal services.

For personal services, \$82,440.

## Expenses, etc.

For purchase, installation, and modification of electric traffic lights, signals, and controls, markers, painting white lines, labor, maintenance of non-passenger-carrying motor vehicles, and such other expenses as may be necessary in the judgment of the Commissioners, including not to exceed \$30,000 for the operation and maintenance of electric traffic lights, signals, and controls, \$93,000, of which not less than \$25,000 shall be expended for the purchase, installation, and modification of electric traffic-light signals: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

*Proviso.*  
Not available for street-car loading platforms, etc.

## Identification plates.

For the purchase of motor-vehicle identification number plates, \$20,000.

## Register of Wills.

## REGISTER OF WILLS

## Personal services.

For personal services, \$74,940.

## Contingent expenses.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory coats and photographic developing-room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, \$10,500.

## Recorder of Deeds.

## RECORDER OF DEEDS

## Personal services.

For personal services, \$110,000.

## Contingent expenses.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of

records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage; not exceeding \$100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, \$12,500.

For rent of offices of the recorder of deeds, \$14,000, to be expended without reference to the provisions of section 6 of this Act.

Rent.  
Post, p. 394.

## CONTINGENT AND MISCELLANEOUS EXPENSES

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; traveling expenses not to exceed \$2,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; not exceeding \$3,000 for the settlement of claims not in excess of \$250 each, approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and other general necessary expenses of District offices, \$29,050: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

Contingent and miscellaneous expenses.  
Objects specified.

Removing unsafe, etc., buildings.

Settlement of claims.

45 Stat. 1160; 46 Stat. 500.

*Proviso.*  
Printing, etc., list of supplies forbidden.

For postage for strictly official mail matter, including the rental of postage-meter equipment, \$28,000.

Postage.

For judicial expenses, including witness fees, and expert services in District of Columbia cases before the District Court of the United States for the District of Columbia, \$1,800: *Provided*, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the public interest, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) under available appropriations contained in this Act: *Provided further*, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the District Court of the United States for the District of Columbia.

Judicial expenses.

*Provisos.*  
Contract reporting services.

R. S. § 3709.  
41 U. S. C. § 5.

No court costs, etc., in District Court for D. C. required.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, \$7,000: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

General advertising.

*Proviso.*  
Outside advertising.

Taxes in arrears.  
30 Stat. 250.

*Proviso.*  
Advertising delinquent tax list in newspapers.

For advertising notice of taxes in arrears July 1, 1937, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, \$5,500: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

Printing and binding.  
*Proviso.*  
Approval of requisitions required.

Conference on Uniform State Laws.

Central Garage.

Automobiles, maintenance, etc.

Private vehicle allowances.

*Proviso.*  
Restriction.

Use of District-owned vehicles restricted.

Transportation between domicile and place of employment.

*Proviso.*  
Purchase, etc., restrictions.

Transfers forbidden.

Fire-insurance premiums forbidden.

Street-car and bus fares.

*Proviso.*  
Limitation.

Fire and police departments excepted.

Employment service.

Emergency fund, expenses; restriction.

For printing and binding, \$49,000: *Provided*, That no part of the appropriations contained in this Act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners.

To aid in support of the National Conference of Commissioners on Uniform State Laws, \$250.

#### CENTRAL GARAGE

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, \$60,980; for purchase (including exchange) of passenger-carrying automobiles, \$12,040; in all, \$73,020.

For allowances for furnishing privately owned motor vehicles in the performance of official duties at a rate of not to exceed \$264 per year for each automobile, \$10,296: *Provided*, That allowances under this appropriation shall be made only to persons whose duties require full-time field service.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: *Provided*, That no passenger-carrying automobile, except busses, station wagons, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding \$650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Appropriations in this Act shall not be used for the payment of premiums or other cost of fire insurance.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street-car and bus fares from appropriations contained in this Act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of \$8,900: *Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

#### EMPLOYMENT SERVICE

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, \$4,640.

#### EMERGENCY FUND

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood, or fire, or storm, and of like character, and in all other cases of emergency not otherwise

sufficiently provided for, in the discretion of the Commissioners, \$2,500: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of this appropriation for such purposes as they may deem necessary.

*Proviso.*  
Voucher for expenditure.

#### REFUND OF ERRONEOUS COLLECTIONS

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents, fees, or collections of any character have been erroneously covered into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), \$3,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Refund of erroneous collections.

Payments authorized.

Building permits.  
36 Stat. 967.

*Proviso.*  
Availability.

Erroneously collected taxes, fines, etc.

*Proviso.*  
Availability.

For payment of amounts collected by the District erroneously on account of taxes, fines, fees, and similar charges, which are returned to the respective parties who may have paid the same, \$100,000: *Provided*, That this appropriation shall be available for refund of such erroneous payments made within the past three years only.

#### WHARVES

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, \$3,000.

Wharves.

Reconstruction, maintenance, etc.

#### REPAYMENT OF LOAN FROM PUBLIC WORKS ADMINISTRATION

For reimbursement to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat., p. 1215), of funds loaned under the authority of said Act, \$1,000,000: *Provided*, That during the fiscal year 1938 no greater sum shall be deposited in the Treasury of the United States to the credit of the special account established under section 3 of said Act than is required by said section for reimbursement to the United States.

Loan from Public Works Administration.

Reimbursement.  
48 Stat. 1215.

*Proviso.*  
Amount of deposit, 1938.

#### FREE PUBLIC LIBRARY

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, \$380,010.

Free Public Library.

Personal services.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, \$84,500: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding \$25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

Miscellaneous.

*Proviso.*  
Advances for purchases of books, etc.

Accounting.

For binding, including necessary personal services, \$20,000.

Binding.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, including not to exceed \$800 for purchase and exchange of one motor delivery vehicle, \$36,000.

Contingent expenses.

Chevy Chase and Woodridge branches.

Petworth branch, completing construction.

*Proviso.*  
Limit of cost increased.  
49 Stat. 1861.

For rent of suitable quarters for branch libraries in Chevy Chase and Woodridge, \$4,320.

For completing construction of the Petworth branch library building, including improvement of grounds and necessary furniture and equipment, \$105,000: *Provided*, That the limit of cost fixed in the Act of June 23, 1936, is hereby increased from \$150,000 to \$180,000.

#### Sewers.

#### SEWERS

Personal services.

For personal services, \$180,030.

Cleaning, repair, etc.  
Motor trucks.

For cleaning and repairing sewers and basins; including the replacement of the following motor trucks: One at not to exceed \$2,500; two at not to exceed \$975 each; and the purchase of one motor truck at not to exceed \$2,500; and for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and the maintenance of non-passenger-carrying motor vehicles used in this work, \$245,000.

Main and pipe, etc.  
Suburban.

For main and pipe sewers and receiving basins, \$100,000.

Motor trucks.

For suburban sewers, including the maintenance of non-passenger-carrying motor vehicles used in this work, and the replacement of the following motor trucks: Two at not to exceed \$975 each; one at not to exceed \$750; and one at not to exceed \$650; in all, \$150,000.

Oxon Run Interceptor, construction.

For commencing construction of the Oxon Run Interceptor to provide an outlet for sewage from Washington Highlands, \$169,000.

Assessment and permit work.

For assessment and permit work, sewers, including not to exceed \$1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$400,000.

Mosquito control.

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled vehicles, purchase of oil, and other necessary expenses, \$12,000: *Provided*, That of the amount herein appropriated there may be transferred, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed \$4,100 to the Public Health Service of the Treasury Department, the amount so transferred to be available for the objects herein specified.

*Proviso.*  
Transfer to Public Health Service.

Sewage treatment plant.

Sewage treatment plant: For operation and maintenance, including salaries and wages of necessary employees, supplies, repairs to buildings and equipment, purchase of electric power, fuel, oil, waste, and other necessary expenses including the maintenance of non-passenger-carrying motor vehicles used in this work, \$160,000.

#### City refuse.

#### COLLECTION AND DISPOSAL OF REFUSE

Personal services.

For personal services, \$130,000.

Sweeping, cleaning, etc.

For dust prevention, sweeping and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of garages; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment and necessary incidental expenses, \$403,730.

Garbage, dead animals, ashes, etc.

To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and

incidental expenses, \$850,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

*Proviso.*  
Collection restric-  
tion.

## PUBLIC PLAYGROUNDS

Public playgrounds.

For personal services, \$127,780: *Provided*, That employments hereunder, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Personal services.  
*Proviso.*  
Employments re-  
stricted.

42 Stat. 1340.

For general maintenance, repairs, and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance, \$40,800.

Maintenance, etc.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, \$29,700.

Public school play-  
grounds, during sum-  
mer.

For temporary services, including superintendence, supplies, repairs, maintenance, and expenses necessary in the operation of swimming or bathing pools, \$11,300.

Swimming or bath-  
ing pools, operation.

## ELECTRICAL DEPARTMENT

Electrical Depart-  
ment.

For personal services, \$145,000.

Personal services.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motor trucks, and other necessary items, including not to exceed \$600 for the purchase of one non-passenger-carrying motor vehicle, \$30,800.

Supplies, contingent  
expenses, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional lead-covered cables, labor, material, appurtenances, and other necessary equipment and expenses, \$40,000, of which \$15,000 shall be available for the purchase and replacement of two sections of main trunk cables.

Placing wires under-  
ground, police patrol  
and fire alarm sys-  
tems, etc.

Replacing sections  
of main trunk cables.

Lighting streets, etc.

**Lighting:** For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat., pp. 1008-1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181-184, sec. 7), and other laws applicable thereto, \$765,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour

Airway lights.

36 Stat. 1008.

37 Stat. 181.

*Provisos.*  
Rates, limitation.



Awards to lowest bidder.

for current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

#### Public schools.

### PUBLIC SCHOOLS

Administrative and supervisory officers.

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367-375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, \$683,800.

43 Stat. 367.

Personal services.

For personal services of clerks and other employees, \$180,260.

School attendance and work permits department.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367-375), the Act approved February 5, 1925 (43 Stat., pp. 806-808), and the Act approved May 29, 1928 (45 Stat., p. 998), \$41,500.

43 Stat. 367, 806.

45 Stat. 998.

Teachers, librarians, etc.

For personal services of teachers and librarians in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367-375), including for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, and including \$10,000 for health and physical education teachers to supervise play in schools of the central area bounded by North Capitol Street on the east, Florida Avenue on the north, the Mall on the south, and Twelfth Street on the west; and including \$4,000 for advancement of teachers from group 1A to 1B, group 2A to 2B, group 3A to 3B, and group 2C to 2D, \$7,167,820: *Provided*, That as teacher vacancies occur during the fiscal year 1938 in grades one to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades: *Provided further*, That teaching vacancies that occur during the fiscal year 1938 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: *Provided further*, That the average of the salaries paid librarians in the public schools shall not exceed the average of the salaries paid employees performing the same grade of work in the Free Public Library.

43 Stat. 367.

Health and physical education teachers.

Advancement provisions.

*Proviso.*  
Assignment of kindergarten teachers in grades 1 to 4.

Placing unassigned teachers of special, etc., subjects.

Librarians, pay restriction.

Vacation schools, instruction, etc.

For the instruction and supervision of children in the vacation schools, and supervisors and teachers of vacation schools may also be supervisors and teachers of day schools, \$30,400.

#### Night schools.

### NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, \$102,180, of which \$8,000 shall be for night-school instruction at Western High School.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, \$4,000.

Americanization work.

### AMERICANIZATION WORK

Instruction of foreigners of all ages.

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of

Americanization schools may also be teachers and janitors of the day schools, \$8,800.

For contingent and other necessary expenses, including books, equipment, and supplies, \$600.

For carrying out the provisions of the Act of June 19, 1934 (U. S. C., title 34, sec. 945), entitled "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War", \$3,000.

For the development of vocational education in the District of Columbia in accordance with the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories," approved June 8, 1936 (49 Stat., p. 1488), \$4,235.

#### COMMUNITY CENTER DEPARTMENT

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, \$102,000.

#### CARE OF BUILDINGS AND GROUNDS

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed \$96 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed \$120 per annum may be allowed, \$942,705.

#### MISCELLANEOUS

For the maintenance of schools for tubercular and crippled pupils, \$8,300.

For transportation for pupils attending schools for tubercular pupils, sight conservation pupils, and crippled pupils, \$22,500: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this Act.

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, \$64,000, to be immediately available.

For fuel, gas, and electric light and power, \$325,000.

For contingent expenses, including United States flags, furniture and repairs of same, including not exceeding \$10,000 for the purchase of furniture and equipment for the Phelps Vocational School, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding \$13,000 for books of reference and periodicals, of which \$5,000 shall be available for the purchase of such books for the Wilson Teachers College, not exceeding \$1,500 for replacement of pianos at an average cost of not to exceed \$300 each, not exceeding \$6,800 for labor; in all, \$140,000, to be immediately available, of which not to exceed \$1,200 may be expended for tabulating school census cards either by contract or by day labor as the Commissioners may determine: *Provided*, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military instruction and practice by the students of high schools in the District of Columbia.

For completely furnishing and equipping buildings and additions to buildings as follows: Lafayette School addition and assembly-gymnasium, \$5,500; Truesdell School, addition and assembly-gym-

Contingent expenses.

Instruction of children of veterans who lost their lives during World War.  
48 Stat. 1125.  
34 U. S. C. § 945.

Development of vocational education.  
49 Stat. 1488.  
20 U. S. C., Supp. II, §§ 15h-15p.

Community Centers.

Salaries and expenses.  
43 Stat. 369.

Care of buildings and grounds.

Salaries.  
Smaller buildings and rented rooms.

Miscellaneous.

Schools for tubercular and crippled pupils.

Transportation.

*Proviso*.  
Car, etc., fares.

Manual, etc., training.

Fuel, light, and power.  
Contingent expenses.

Books for Wilson Teachers College.

*Proviso*.  
No bond for Army supplies to cadets.

Furnishings, etc., for designated buildings.

nasium, \$10,000; Grimke School, addition and assembly-gymnasium, \$10,000; Young School, addition and gymnasium, \$7,250; Cleveland School, addition, \$6,750; Shepherd School, second floor, \$2,750; Den-nison Vocational School, \$26,000; Paul Junior High School, addition and gymnasium, \$10,500; Deal Junior High School, addition and gymnasium, \$10,500; Eastern High School, alterations, \$30,000; in all, \$119,250.

Supplies to pupils.  
46 Stat. 62.

For textbooks and other educational books and supplies as author-ized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed \$7,000 for personal services, \$185,000, to be immediately available.

Kindergartens.

For maintenance of kindergartens, \$5,600, to be immediately avail-able.

Supplies for general  
science departments.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of labora-tories of the department of physics, chemistry, biology, and general science in the several high and junior high schools, vocational schools, and teachers colleges, and for the installation of the same, \$16,400, to be immediately available.

School gardens,  
utensils, etc.

For utensils, materials, and labor, for establishment and mainte-nance of school gardens, \$2,400.

Repairs, etc., to  
buildings.

For repairs and improvements to school buildings and grounds, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sani-tary drinking fountains, and maintenance of motor trucks, including not to exceed \$975 for the replacement of one one and one-half ton truck and including \$4,000 for improvements at the Central High School stadium, \$396,975, of which amount \$100,000 shall be imme-diately available: *Provided*, That work performed for repairs and improvements shall be by contract or otherwise, as may be deter-mined by the Commissioners to be most advantageous to the District of Columbia.

*Proviso.*  
Contracts, etc.

Equipment for  
school yard play-  
grounds.

*Proviso.*  
Hours open.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, \$7,000: *Provided*, That such playgrounds shall be kept open for play purposes in accord-ance with the schedule maintained for playgrounds under the juris-diction of the playground department.

Annuities.  
41 Stat. 387; 44 Stat.  
727.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retire-ment of public-school teachers in the District of Columbia', approved January 15, 1920, and for other purposes" (41 Stat., pp. 387-390), \$400,000.

Deaf, dumb, and  
blind.

Maintenance and  
instruction.

R. S. § 4864.  
31 Stat. 844.

#### THE DEAF, DUMB, AND BLIND

For maintenance and instruction of deaf and dumb persons admitted to the Columbian Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U. S. C., title 24, sec. 238), and under a contract to be entered into with the said institution by the Commissioners, \$35,500.

Colored deaf mutes.  
Tuition of, under  
contract.

For maintenance and instruction of colored deaf-mutes of teach-able age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Com-missioners, \$7,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

*Proviso.*  
Supervision of ex-  
penditures.

Blind children.  
Tuition of, under  
contract.

*Proviso.*  
Supervision of ex-  
penditures.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, \$11,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the superintendent of schools.

Soliciting subscriptions, etc.

No money appropriated in this Act for the purchase of furniture and equipment and school supplies for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Requisitions for equipment subject to Commissioners' approval.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

Nature study, etc., teachers.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

Children of Army, Navy officers, etc., admitted to schools free.

#### BUILDINGS AND GROUNDS

For completing the construction of a vocational school for girls, to replace the old Dennison School Building on S Street, on land owned by the District of Columbia at Arkansas Avenue and Allison Street Northwest, \$236,000: *Provided*, That the limit of cost fixed in the Act of June 23, 1936, is hereby increased from \$280,000 to \$336,000.

Buildings and grounds.

Vocational school for girls, replacing old Dennison Building.

*Proviso.*  
Limit of cost increased.  
49 Stat. 1870.

For beginning the construction of the Thomas Jefferson Memorial Junior High School and Library, \$300,000, of which sum \$16,800 shall be available for the preparation of plans, specifications, and administration; the employment of such personal services to be without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the Classification Act of 1923, as amended, and civil-service requirements; and the Commissioners are authorized to enter into contract or contracts for such building or buildings at a cost not to exceed \$800,000: *Provided*, That the library shall be under the administration of the Board of Library Trustees of the Free Public Library;

Thomas Jefferson Memorial Junior High and Library, construction.

*Post*, p. 760.  
Personal services.  
R. S. § 3709.  
41 U. S. C. § 5.

*Proviso.*  
Library administration.

For the construction of an eight-room addition to the Bundy School, including an assembly hall-gymnasium, and the necessary remodeling of the present building, \$150,000;

Bundy School, addition.

For beginning the construction of a vocational school to replace the present Lenox Vocational School, on land now owned by the District of Columbia at Potomac Avenue between Thirteenth and Fourteenth Streets Southeast, \$160,000, of which sum \$7,560 shall be available for the preparation of plans, specifications, and administration, and the Commissioners are authorized to enter into a contract or contracts for such building at a cost not to exceed \$360,000;

Vocational school, to replace Lenox.

For the construction of a third-story addition to the Cleveland School to provide six additional rooms, \$114,000;

Cleveland School, addition.

For beginning the construction of a new senior high school on a site already owned by the District of Columbia at Fifth and Sheridan Streets Northwest, \$350,000, of which sum \$28,300 shall be available for the preparation of plans, specifications, and administration; the

Senior high, Fifth and Sheridan Streets Northwest.

Personal services.  
41 U. S. C. § 5.

Contracts.

Junior high, Ban-  
ner playground site.

Contracts.

Shepherd, comple-  
tion of second floor.

Aggregate; account-  
ing.

*Proviso.*  
Use restricted.

Sites designated.

employment of such personal services to be without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed \$1,350,000;

For the erection of a junior high school building on a portion of the site of the existing Banneker Playground, \$200,000, of which sum \$15,217 shall be available for the preparation of plans, specifications, and administration, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed \$724,650;

For the completion of the second floor of the Shepherd School, \$30,000;

In all, \$1,540,000, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until expended: *Provided*, That no part of this appropriation shall be used for or on account of any school building not herein specified.

For the purchase of school building and playground sites as follows:

For the purchase of land adjoining the site of the old Dennison School, to provide for the construction of an elementary school building;

Not exceeding \$17,500 for the purchase of land for elementary school purposes in the vicinity of First and Pierce Street Northwest;

For the purchase of a site for elementary school purposes in the vicinity of Third Street and Concord Avenue Northwest;

For the purchase of additional land for an extension to the Margaret Murray Washington Vocational School;

For the purchase of additional land for the new Lenox Vocational School, adjacent to the site for said school now owned by the District of Columbia at Potomac Avenue between Thirteenth and Fourteenth Streets Southeast;

In all, \$242,500.

Thomas Jefferson  
Memorial Junior High  
and Library.  
Sum available for  
acquiring site.

The unexpended balance of the appropriation of \$200,000 contained in the District of Columbia Appropriation Act for the fiscal year 1932 for the erection of a new school building for the Jefferson Junior High School is hereby made available for the acquisition of a site in the area bounded by Seventh Street on the west and K Street on the south in Southwest Washington for a new building for the Thomas Jefferson Memorial Junior High School and Library.

Under age instruc-  
tion prohibited.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1937, and children entering during the second half of the school year who will be five years of age by March 15, 1938: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

*Proviso.*  
Webster School,  
Americanization work  
excepted.

Building contracts,  
requirements.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful perform-

ance of the contract: *Provided*, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

## METROPOLITAN POLICE

### SALARIES

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat., pp. 174-175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839-841), including compensation at the rate of \$2,100 per annum for the present assistant property clerk of the police department, \$3,386,730.

For personal services, \$138,730.

### MISCELLANEOUS

For fuel, \$7,300.

For repairs and improvements to police stations and station grounds, \$12,500.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance, and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed \$300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage and hauling of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, \$68,375, of which amount not exceeding \$2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the Commissioners are authorized to employ the electrician of the District Building to repair and test speedometers at such cost not exceeding \$250 as they may approve, payment to be in addition to his regular compensation, and such services to be performed after regular working hours.

*Proviso.*  
Right to reject bids.

Preparation of plans.

Exit, etc., requirements.

Metropolitan Police.

Salaries, etc.  
43 Stat. 174; 46 Stat. 839.

Personal services.

Miscellaneous.

Fuel.

Repairs, etc.

Contingent expenses.

Radio systems, etc.

*Proviso.*  
Speedometer repairs.

Motor vehicles, etc.

For purchase, exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, \$67,300.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, \$49,750.

House of Detention.

#### HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, \$8,900; for personal services, \$9,420; in all, \$18,320.

Policemen and Firemen's Relief Fund.

#### POLICEMEN AND FIREMEN'S RELIEF

Payments from.

To pay the policemen and firemen's relief and other allowances as authorized by law, \$1,015,000.

Fire Department.

#### FIRE DEPARTMENT

##### SALARIES

Salaries.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839-841), \$2,211,900.

43 Stat. 175; 46 Stat. 839.

Personal services.

For personal services, \$5,620.

Miscellaneous.

##### MISCELLANEOUS

Repairs, etc., to buildings.  
Uniforms.

For repairs and improvements to buildings and grounds, \$20,000. Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, \$23,000.

Repairs to apparatus, etc.

For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, \$45,000: *Provided*, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

*Proriso.*  
Construction at repair shop.

Hose.

For hose, \$18,000.

Fuel.

For fuel, \$23,500.

Contingent expenses.

For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, \$22,500.

New apparatus.

For additional fire-fighting apparatus, including three chiefs' automobiles, at not to exceed \$1,200 each, \$100,000.

## HEALTH DEPARTMENT

## SALARIES

For personal services, including not exceeding \$19,360 for employees in the permit office and ambulance service, and not exceeding \$16,880 for the inspection of all public establishments and employees where food is sold or served, \$217,690.

## PREVENTION OF CONTAGIOUS DISEASES

For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635-641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889-890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126-127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001-1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, \$43,830: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, \$45,380: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Nursing service: For maintaining a nursing service, including personal services, uniforms, supplies, and contingent expenses, \$143,440: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the maintenance of the nursing service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or payment of any money on account of any such volunteer service.

For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125-126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, \$1,000.

Health Department.

Salaries.

Personal services.

Prevention of contagious diseases.

Contingent expenses.

29 Stat. 635.

34 Stat. 889.  
Tuberculosis registration.

35 Stat. 126.

Infantile paralysis.

Venereal diseases.

43 Stat. 1001.  
Disinfecting service.*Proviso.*  
Bacteriological examination of milk, etc.

Tuberculosis and venereal dispensaries.

*Provisos.*  
Volunteer services.

Compensation restriction.

Nursing service.

*Provisos.*  
Volunteer services.

Compensation restriction.

Drainage of lots, etc.  
29 Stat. 125.

34 Stat. 114.



Hygiene, etc., public schools.

Free dental clinics.

*Proviso.*  
Medical inspectors and public-school nurses, division of.

Laboratories, maintenance.

Enforcing food, drugs, candy, etc., adulteration Act.  
30 Stat. 246, 398.

34 Stat. 768.  
Milk regulation.

43 Stat. 1004.

*Proviso.*  
Dairy farm inspection, vehicle allowance.

Motor vehicles.

Child welfare and hygiene.

*Provisos.*  
Volunteer services.

Compensation restriction.

Tuberculosis sanatoria; hereafter directed by Health Department.

Personal services.

Expenses.

Repairs and improvements.

Gallinger Hospital, personal services.

Hygiene and sanitation, public schools, salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, and the establishment of one additional clinic, \$111,060: *Provided*, That of the persons employed as medical inspectors one shall be a woman, four shall be dentists, and four shall be of the colored race, and that of the graduate nurses employed as public-school nurses three shall be of the colored race.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, \$7,890.

For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246-248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768-772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004-1008), including traveling and other necessary expenses of dairy-farm inspectors, and car tokens and passes for nurses, sanitary inspectors and food inspectors; and including not to exceed \$200 for special services in detecting adulteration of drugs and foods, including candy and milk, \$7,000: *Provided*, That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the rate of not to exceed \$312 per annum for each inspector.

For maintenance and operation of motor ambulances and motor vehicles, \$800.

Child welfare and hygiene: For maintaining a child-hygiene service, including the establishment and maintenance of child-welfare stations for clinical examinations, advice in the care of children under six years of age, payment for personal services, rent, fuel, periodicals, and supplies, \$25,000: *Provided*, That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

For the following hospital and sanatoria, which, on and after July 1, 1937, shall be under the direction and control of the Health Department of the District of Columbia and subject to the supervision of the Board of Commissioners:

Tuberculosis Sanatoria: For personal services, \$325,440.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, water, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, school books, classroom supplies, books of reference, and periodicals not to exceed \$500, maintenance of motor trucks, and other necessary items, \$203,000.

For repairs and improvements to buildings and grounds, including roads and sidewalks, \$13,000.

Gallinger Municipal Hospital: For personal services, including not to exceed \$2,000 for temporary labor, \$468,560, of which \$13,000 shall be available for out-patient relief of the poor including medical and surgical supplies, artificial limbs, and pay of physicians.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed \$500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, \$270,000.

Maintenance, etc.

For repairs and improvements to buildings and grounds, \$4,500.

Repairs, etc.

Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, \$600.

Incidental expenses.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with the following institutions and for not to exceed the following amounts, respectively:

Medical charities.  
Care, etc., indigent  
patients at designated  
hospitals.

Children's Hospital, \$40,000.

Central Dispensary and Emergency Hospital, \$65,000.

Eastern Dispensary and Casualty Hospital, \$40,000.

Washington Home for Incurables, \$10,000.

Health Center: For the construction on the site of the Jones Elementary School at First and L Streets Northwest, of a building for a Health Center, including necessary fixed equipment therefor, \$165,000, of which sum \$7,000 shall be available for preparation of plans and specifications, administration and inspection, including the employment of personal services without reference to the Classification Act of 1923, as amended: *Provided*, That all buildings belonging to the District of Columbia shall be under the jurisdiction and control of the Commissioners of said District.

Health Center, con-  
struction, etc.

Plans.

*Proviso.*  
Jurisdiction over  
buildings.

## COURTS

### JUVENILE COURT

Salaries: For personal services, \$65,800.

Courts.

Miscellaneous: For compensation of jurors, \$2,000.

Juvenile Court.

Salaries.

Miscellaneous.

For fuel, ice, gas, laundry work, stationery, books of reference, periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, \$3,150.

Contingent ex-  
penses.

The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed \$50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Advances for return-  
ing absconding pro-  
bationers.

### POLICE COURT

Police Court.

Salaries: For personal services, \$114,530.

Salaries.

For law books, books of reference, directories, periodicals, stationery, rebinding of books, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet

Contingent ex-  
penses.

articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, \$11,600, of which not exceeding \$750 shall be available for telephone and telegraph service.

Witness fees and jurors' compensation.  
New building, completion.

For witness fees and compensation of jurors, \$24,000.

For completing construction of a building in Judiciary Square to house the Police Court of the District of Columbia, including furniture and equipment, and inspection, \$450,000.

#### Municipal Court.

#### MUNICIPAL COURT

##### Salaries.

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, \$77,170.

Jurors.  
*Proviso.*  
Deposits for jury trial earned unless new date set, etc.  
41 Stat. 1312.

For compensation of jurors, \$6,000: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Contingent expenses.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, \$3,250.

District Court of the United States for the District of Columbia.  
Salaries.

#### DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice), and other personal services, \$137,300.

Jurors and witnesses.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), \$85,000.

R. S. § 850.  
28 U. S. C. § 604.

Bailiffs, etc.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, \$37,400: *Provided*, That the compensation of each jury commissioner for the fiscal year 1938 shall not exceed \$250.

*Proviso.*  
Jury commissioners.

Probation system.

Probation system: For personal services, \$13,280; contingent expenses, \$500; in all, \$13,780.

Courthouse, care, etc.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, \$35,290, to be expended under the direction of the Attorney General.

Repairs, etc.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$19,675, of which \$9,000 shall be immediately available for changing electric wiring in said courthouse from direct to alternating current, to be expended under the direction of the Architect of the Capitol.

#### Court of Appeals.

#### COURT OF APPEALS

##### Salaries.

Salaries: For the chief justice and four associate justices, marshal, \$3,600, whose appointment is hereby authorized, five law clerks at

\$2,500 each, and all other officers and employees of the court; reporting service; and not to exceed \$520 for necessary expenditures in the conduct of the clerk's office; in all, \$115,400: *Provided*, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

*Proviso.*  
Sale of reports.

**Building:** For personal services for care and protection of the United States Court of Appeals Building, including one mechanic, under the direction of the Architect of the Capitol, \$8,340: *Provided*, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court.

Care, etc., of building.

*Proviso.*  
Custodian.

For mops, brooms, buckets, disinfectants, removal of refuse, electrical supplies, books, and all other necessary and incidental expenses not otherwise provided for, \$660.

Incidental expenses.

For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$4,500, of which \$3,000 shall be immediately available for changing electric wiring in said building from direct to alternating current, to be expended under the direction of the Architect of the Capitol.

Building repairs, etc.

#### MISCELLANEOUS

Miscellaneous.

**Support of convicts:** For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law, \$71,200.

Support of convicts.

**Writs of lunacy:** For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, \$1,000.

Lunacy writs.  
Expenses of execution, etc.

**Miscellaneous court expenses:** For such miscellaneous expenses as may be authorized by the Attorney General for the District Court of the United States for the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for the United States Court of Appeals, District of Columbia, \$25,000.

Miscellaneous court expenses.

**Printing and binding:** For printing and binding for the District Court of the United States for the District of Columbia, \$3,000, and the United States Court of Appeals of the District of Columbia, \$3,000, except records and briefs in cases in which the United States is a party; in all, \$6,000.

Printing and binding.

### PUBLIC WELFARE

Public Welfare.

#### BOARD OF PUBLIC WELFARE

Board of Public Welfare.

For personal services, \$97,740.

#### DIVISION OF CHILD WELFARE

Child Welfare Division.

**Administration:** For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses,

Administrative expenses.

Restriction on expenditure.

\$3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

Board, etc., of children.

For board and care of all children committed to the guardianship of said Board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$1,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the Board, \$275,000.

Home care of dependent children.  
44 Stat. 758.

To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat., pp. 758-760), including not to exceed \$13,060 for personal services in the District of Columbia, \$163,000: *Provided*, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency therein, and no more than \$100 per month shall be paid therefrom to any one family and no more than \$400 shall be paid for burial of children dying while beneficiaries under said Act.

*Proviso.*  
Apportionment restrictions.

Receiving home for children under seventeen.  
Maintenance, etc.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed \$19,120 for personal services, \$38,000.

Advances to director.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Limitation.

#### JAIL

Jail.

Salaries.

Salaries: For personal services, \$86,600.

Maintenance, etc., of prisoners.

For maintenance and support of prisoners of the District of Columbia at the jail, expenses incurred in identifying and pursuing escaped prisoners and rewards for their capture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed \$100; purchase including exchange of one truck, \$700; maintenance of non-passenger-carrying motor vehicle; purchase of one motor-driven extractor, \$2,200; and expense of electrocutions, \$84,900.

Workhouse and Reformatory.

#### GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

Personal services.

For personal services, \$442,640.

Maintenance, etc.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, news-

papers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motor bus; purchase of one bus, including exchange, for transportation of prisoners, \$7,500; fuel for heating, lighting, and power, and all other necessary items, including uniforms and caps for guards, \$437,500.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equipment not used in industrial enterprises, \$22,000.

For replacing defective electric wiring and equipment of distribution system with underground construction at the District of Columbia penal institutions at Lorton and Occoquan, and moving electric generators from powerhouse at Occoquan to powerhouse at Lorton, \$29,000.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, \$30,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1938 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of non-passenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

For continuing construction of permanent buildings for women, including sewers, water mains, and other necessary utilities, \$45,000.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding \$300 at one time, to be used only for expenses in returning escaped prisoners, conditional releasees, and parolees, payable from the maintenance appropriations for the workhouse and reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

#### NATIONAL TRAINING SCHOOL FOR BOYS

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, \$150,000.

#### NATIONAL TRAINING SCHOOL FOR GIRLS

Salaries: For personal services, \$31,500.

For groceries, provisions, light, fuel, clothing, shoes, forage and farm supplies; medicine, medical service, including not to exceed \$2,000 for medical care and not to exceed \$600 for dental care; transportation, maintenance of non-passenger-carrying vehicles; equipment, fixtures, books, magazines, and other educational supplies; recreational equipment and supplies, including rental of

Repairs to buildings, etc.

Electric system, improvements.

Working capital fund.

*Proviso.*  
Purchase of services and products.

Receipts deposited as a revolving fund.

Availability.

Buildings for women, construction, etc.

Advances for returning escaped prisoners.

National Training School for Boys.

Care, etc., of boys committed to.

National Training School for Girls.

Salaries and expenses.

Foster home placement.

Securing homes for paroled girls.

Buildings, construction, repair, etc.  
49 Stat. 1879.

motion-picture films; stationery, postage; repairs; and other necessary items, including not exceeding \$2,500 for additional labor and services on a per diem basis; funds for foster home placement of girls approved for such treatment by the Board of Public Welfare not to exceed \$1,000, and other necessary expenses incident to securing suitable homes for paroled or discharged girls, \$30,000.

The unexpended balance of the appropriation of \$100,000 contained in the District of Columbia Appropriation Act for the fiscal year 1937 for the construction, repair, improvement, and extension of buildings at the National Training School for Girls, in accordance with plans to be approved by the Municipal Architect and the Commissioners; and for additional personnel and maintenance at that institution is hereby continued available during the fiscal year 1938.

Columbia Hospital, etc.

Repairs, etc.

#### COLUMBIA HOSPITAL AND LYING-IN ASYLUM

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, \$5,000.

District Training School.

#### DISTRICT TRAINING SCHOOL

Personal services.

For personal services, including not to exceed \$1,000 for temporary labor, \$104,270.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed \$300 for the purchase of books, books of reference, and periodicals, \$97,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including improvements to the power and lighting system, \$17,500.

Truck.

For the purchase, including exchange, of one three-ton dump truck, \$2,500.

New building, construction.

For construction of a hospital and administration building, including purchase of furniture and equipment, \$175,000, of which sum \$4,000 shall be available for preparation of plans, specifications, and administration.

Industrial Home School for Colored Children.  
Salaries.

#### INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Salaries: For personal services, \$37,760; temporary labor, \$500; in all, \$38,260.

Maintenance, etc.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, maintenance of non-passenger-carrying motor vehicles, not to exceed \$1,250 for manual-training equipment and materials, and not to exceed \$2,000 for laundry machinery, \$25,500.

Repairs, etc.

For repairs and improvements to buildings and grounds, \$4,500.

Vocational building, construction.

For construction of a vocational building, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$15,000.

Industrial Home School.

#### INDUSTRIAL HOME SCHOOL

Salaries.

Salaries: For personal services, \$24,780; temporary labor, \$1,000; in all, \$25,780.

Maintenance.

For maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicles, \$23,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, \$2,500.

Home for Aged and Infirm.

#### HOME FOR AGED AND INFIRM

Salaries.

Salaries: For personal services, \$64,400; temporary labor, \$2,000; in all, \$66,400.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of non-passenger-carrying motor vehicles, \$78,000.

Contingent expenses.

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$4,500.

Repairs, etc.; day labor.

For the purchase, including exchange, of one three-ton dump truck, \$2,500.

Truck.

For purchase and installation of an additional boiler for the heating plant, \$15,750.

Heating plant, improvements.

#### MUNICIPAL LODGING HOUSE

For personal services, \$3,600; maintenance, \$4,000; in all, \$7,600.

Municipal Lodging House.

#### PUBLIC ASSISTANCE

Public assistance.

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, \$1,411,500, and not to exceed 10 per centum of this appropriation and of Federal grants reimbursed under this appropriation shall be expended for personal services: *Provided*, That all auditing, disbursing, and accounting for funds administered through the Public Assistance Division of the Board of Public Welfare, including all employees engaged in such work and records relating thereto, shall be under the supervision and control of the Auditor of the District of Columbia.

Relief of the unemployed, etc.

From District revenues.

*Proviso.*  
Supervision of accounts, etc.

Assistance against old-age want: To carry out the provisions of the Act entitled "An Act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935 (49 Stat., p. 747), including not to exceed \$32,265 for personal services and other necessary expenses, \$428,265.

Old-age assistance.  
49 Stat. 747.  
*Post*, p. 760.

Pensions for needy blind persons: To carry out the provisions of the Act entitled "An Act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat., p. 744), \$36,645.

Pensions for the needy blind.  
49 Stat. 744.

#### TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

For personal services, \$4,620; maintenance, \$11,750; and repairs to buildings and grounds, \$1,000; in all, \$17,370, to be expended under the direction of the Commissioners; and former Union soldiers, sailors, or marines of the Civil War, former soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and former soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

Temporary home for former soldiers and sailors.  
Personal services, maintenance, etc.

#### FLORENCE CRITTENTON HOME

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, \$9,000.

Florence Crittenton Home.



## SOUTHERN RELIEF SOCIETY

Southern Relief Society, for needy Confederate veterans, etc.

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, \$10,000.

## NATIONAL LIBRARY FOR THE BLIND

National Library for the Blind.

For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$5,000.

## COLUMBIA POLYTECHNIC INSTITUTE

Columbia Polytechnic Institute.

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$3,000.

Saint Elizabeths Hospital.

## SAINT ELIZABETHS HOSPITAL

Support of District insane.

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$2,325,780.

## NONRESIDENT INSANE

Deportation of non-resident insane.  
30 Stat. 811.

For deportation of nonresident insane persons, in accordance with the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, \$12,000.

Advances authorized to Director of Public Welfare.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said Director, sums of money not exceeding \$300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Limit.

Ex-service men.

## BURIAL OF EX-SERVICE MEN

Burial of indigent.

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, \$270.

## TRANSPORTATION OF INDIGENT PERSONS

Transportation of indigent persons.

For transportation of indigent persons, including indigent veterans of the World War and their families, \$3,500.

## VOCATIONAL REHABILITATION

Vocational rehabilitation of disabled residents.  
45 Stat. 1260.

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (45 Stat., p. 1260), \$25,000.

## MILITIA

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely:

For personal services, \$21,500; temporary labor, \$5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed \$500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; street-car fares (not to exceed \$200) necessarily used in the transaction of official business; not exceeding \$400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, \$15,480; in all, \$42,780.

Militia.

Expenses authorized, under commanding general.

Personal services.  
Expenses of camps, etc.

## ANACOSTIA RIVER AND FLATS

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document Numbered 37, Sixty-eighth Congress, first session, \$50,000.

Anacostia Park.

Continuing development.

## NATIONAL CAPITAL PARKS

## SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

For personal services, \$351,910.

National Capital Parks.

Personal services.

## GENERAL EXPENSES, PUBLIC PARKS

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propagating gardens and greenhouses under the jurisdiction of the National Park Service, including the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per-diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; carfare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the main-

Public parks.

Maintenance and general expenses.

*Proviso.*  
Minor auxiliary  
structures.

tenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, \$382,500: *Provided*, That not to exceed \$10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

Park police.

#### PARK POLICE

Salaries.  
43 Stat. 175; 44 Stat.  
834; 46 Stat. 839.

Salaries: For pay and allowances of the United States park police force, in accordance with the Act approved May 27, 1924, as amended, \$175,470.

Uniforms, equip-  
ment, etc.

For uniforming and equipping the United States park police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, \$9,000.

National Capital  
Park and Planning  
Commission.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Reimbursement to  
United States for  
lands acquired.  
46 Stat. 485.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as amended, \$300,000.

Incidental expenses.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital", approved June 6, 1924 (U. S. C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed \$1,000 for printing and binding, not to exceed \$500 for traveling expenses and carfare of employees of the Commission, and not to exceed \$300 for professional, scientific, technical, and reference books, and periodicals, \$40,150: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), when the aggregate amount involved does not exceed \$50: *Provided further*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

43 Stat. 463.  
40 U. S. C. § 71.

*Provisos.*  
Minor purchases,  
etc.  
R. S. § 3709.  
41 U. S. C. § 5.  
Statement of ex-  
penditures to Con-  
gress.

National Zoological  
Park.

#### NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed \$2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motor-propelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and non-passenger-carrying motor vehicles, revolvers, and ammunition; not exceeding \$2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding \$100 for the purchase of necessary books and periodicals, \$225,000, no part of which sum shall be available for architect's fees or compensation.

## STREET AND ROAD IMPROVEMENT AND REPAIR

For personal services, \$251,000, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

Street and road improvement.

Personal services; payable from gasoline tax fund.  
43 Stat. 106.

## GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including temporary per diem services, surveying instruments and implements, and drawing materials, and the maintenance of motor vehicles used in this work, including curbing and gutters and replacement of curb-line trees where necessary, and including trees and parkings, assessment and permit work and the several purposes provided for in that paragraph, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments:

Gasoline tax, road and street fund.

Paving, etc., streets and roads from.

43 Stat. 106.

For paving, repaving, and surfacing, including curbing and gutters where necessary, the following:

Improvements designated.

Southeast: Branch Avenue, Alabama Avenue to Denver Street, \$26,000;

Southeast: Minnesota Avenue, Pennsylvania Avenue to Twenty-seventh Street, \$10,000;

Northeast: Fenwick Street, New York Avenue to West Virginia Avenue, \$18,000;

Northeast: Franklin Street, Michigan Avenue to Lincoln Road, \$16,500;

Northwest: New Hampshire Avenue, Buchanan Street to North Capitol Street, \$96,000;

Northwest: For widening to seventy feet and repaving the roadway of Seventeenth Street, from Pennsylvania Avenue to H Street, including the necessary replacement and relocation of sewers, water mains, fire-alarm and police-patrol boxes, \$23,500: *Provided*, That in widening and repaving this roadway 40 per centum of the entire cost thereof shall be assessed against and collected from the owners of the abutting property in the manner provided in the Act approved February 20, 1931 (46 Stat., pp. 1197-1199). The owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalks or parking on said street if it be found necessary to change such vaults to permit of the roadway being widened:

Seventeenth Street, N. W.  
Widening, Pennsylvania Avenue to H Street.

*Provided*.  
Assessment of cost.

46 Stat. 1197.

Modification of vaults under sidewalks, etc.

Southeast: Denver Street, Branch Avenue to Thirty-fourth Street, \$15,000;

Southeast.

Southeast: Sixteenth Street, Ridge Place to Q Street, \$10,500;

Southeast: Nineteenth Street, Minnesota Avenue to P Street, \$10,500;

Southeast: R Street, Sixteenth Street to Seventeenth Street, \$8,300;

Southeast: Q Street, Sixteenth Street to Seventeenth Street, \$8,300;

Southeast: Q Street, Nineteenth Street to Minnesota Avenue, \$3,800;

Southeast: P Street, Eighteenth Place to Nineteenth Street, \$4,500;

Southeast: Eighteenth Place, Fairlawn Avenue to P Street, \$7,500;

Northeast: Seventeenth Street, C Street to E Street, \$12,000;

Northeast.

Northeast: D Street, Seventeenth Street to Eighteenth Street, \$9,000;

Northeast: Eighteenth Street, C Street to D Street, \$7,500;

Northeast: E Street, Sixteenth Street to Seventeenth Street, \$4,800;  
 Northeast: Holbrook Street, Morse Street to Neal Street, \$6,100;  
 Northeast: Seventeenth Place, K Street to L Street, \$5,400;  
 Northeast: Seventeenth Street, K Street to M Street, \$15,000;  
 Northeast: Lang Street, Seventeenth Street eastward, \$3,000;  
 Northeast: Lyman Street, Seventeenth Street eastward, \$3,600;  
 Northeast: R Street, Bladensburg Road eastward, \$10,500;  
 Northeast: Evarts Street, Twenty-second Street to Twenty-fourth Street, \$8,300;  
 Northeast: Nineteenth Street, South Dakota Avenue to Bunker Hill Road, \$14,000;  
 Northeast: Randolph Street, Eighteenth Street to Twentieth Street, \$16,500;  
 Northeast: South Dakota Avenue, Eighteenth Street to Nineteenth Street, \$21,900;  
 Northeast: South Dakota Avenue, Fourteenth Street southward, \$14,000;  
 Northeast: Thirteenth Place, Taylor Street to Michigan Avenue, \$5,300;  
 Northeast: Taylor Street, Michigan Avenue to Fourteenth Street, \$10,000;  
 Northwest: Crittenden Street, New Hampshire Avenue to Fourth Street, \$5,300;  
 Northwest: Third Place, Crittenden Street to Decatur Street, \$4,600;  
 Northwest: Decatur Street, New Hampshire Avenue to Fourth Street, \$9,000;  
 Northwest: Fourth Street, Decatur Street to Emerson Street, \$6,800;  
 Northwest: Delafield Place, Third Street to Fourth Street, \$6,800;  
 Northwest: Third Street, New Hampshire Avenue to Emerson Street, \$10,500;  
 Northwest: Third Street, Farragut Street to Kansas Avenue, \$28,500;  
 Northwest: Gallatin Street, Third Street to Fourth Street, \$7,500;  
 Northwest: Hamilton Street, New Hampshire Avenue to Kansas Avenue, \$20,500;  
 Northwest: Second Street, New Hampshire Avenue to Hamilton Street, \$11,300;  
 Northwest: Farragut Street, New Hampshire Avenue to First Street, \$4,500;  
 Northwest: First Street, Concord Avenue to Longfellow Street, \$10,500;  
 Northwest: Powhatan Place, Fifth Street to Seventh Street, \$9,100;  
 Northwest: Sixth Street, Tuckerman Street to Van Buren Street, \$8,200;  
 Northwest: Seventh Street, Tewksbury Place to Whittier Street, \$17,300;  
 Northwest: Oglethorpe Street, Seventh Street to Eighth Street, \$6,800;  
 Northwest: Gallatin Street, Georgia Avenue to Ninth Street, \$7,500;  
 Northwest: Western Avenue, Rittenhouse Street to Broad Branch Road, \$24,200;  
 Northwest: Elder Street, Seventh Street to Eighth Street, \$6,000;  
 For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, \$50,000;

Northwest.

Grading; culverts.

For paving the unpaved center strips of paved roadways, \$5,000;  
For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, \$5,000;

Paving centerstrips.  
Minor changes in roadways, etc.

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, \$200,000;

Curbs and gutters, shoulders, etc.

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, \$450,000;

Surfacing, etc., pavements.

For construction, maintenance, operation, and repair of bridges, \$54,540;

Bridges, construction, repair, etc.

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads; for cleaning snow and ice from streets, sidewalks, cross walks, and gutters in the discretion of the Commissioners; and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, \$900,000: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the water department shall be available for snow removal when specifically and in writing ordered by the Commissioners: *Provided further*, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000.

Street, etc., repairs.

*Provisos.*  
Snow removal.

Purchase of asphalt plant authorized.

This appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat., p. 752). The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia", approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected;

Street railways, pavements.

47 Stat. 752.

Proportion of expenses chargeable to railway company.

20 Stat. 105.

For completing the replacement of the superstructure, and such portions of the substructure as may be necessary, including relocation and reconstruction of approach roads of the Chain Bridge in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including personal services, engineering and incidental expenses, \$143,000; and the Commissioners are authorized to enter into contract or contracts for the completion of said bridge at a cost not to exceed \$393,000;

Chain Bridge, replacement of superstructure, etc.

Contracts authorized.

For the preparation of studies, preliminary plans and surveys, estimates, and investigations of foundation conditions (1) for a highway, including the necessary bridges, across Rock Creek Park to provide a direct connection between Sixteenth Street and Connecticut Avenue at a location near or north of Klinge Road, (2) for a through or bypass highway in Georgetown in the general line of K Street and Canal Road Northwest, between Twenty-seventh Street and Foxhall Road, including the necessary bridges, viaducts, grade-separation structures, and connections to Key Bridge, (3) for a redesign and changes in Dupont, Scott, and Thomas Circles, including adjacent public space, to meet present and future traffic and transportation needs, including the necessary underpasses, curb and roadway changes, street-railway-track relocation and changes and addition to underground structures, and including the employ-

Surveys, etc., for designated highways and bypasses.

R. S. § 3709.  
41 U. S. C. § 5.

Opening streets, etc.,  
permanent highway  
system.

*Proviso.*  
Alley improve-  
ments, building lines,  
etc.

Assessment and per-  
mit work.

Trees and parkings.

Disbursements, etc.

*Proviso.*  
Assessments under  
existing law.

Use, grade crossing  
elimination projects.

49 Stat. 1521.

Minor changes in  
sidewalks and road-  
ways.

Open competition  
for street improve-  
ment contracts.

Repairs for inferior  
work by contractors  
required for additional  
period.

ment of engineering or other professional services, by contract or otherwise, and without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and engineering and incidental expenses, \$30,000;

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, in accordance with the plan of the permanent system of highways for the District of Columbia, including the procurement of chains of title, \$150,000, to remain available until June 30, 1939: *Provided*, That this appropriation shall be available to carry out the provision of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia;

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of non-passenger-carrying motor vehicles, \$150,000;

For personal services, trees and parkings, \$26,600;

For contingent expenses, trees and parkings, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees, and tree spaces on city and suburban streets, purchase and maintenance of non-passenger-carrying motor vehicles, and miscellaneous items, \$100,000;

In all, not to exceed \$2,894,340, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road, and street improvements and repairs", and for that purpose shall constitute one fund: *Provided*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments: *Provided further*, That any portion of this appropriation (Gasoline tax, road and street improvements and repairs) may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination projects authorized under section 8 of Act of Congress, Public Law Numbered 686, Seventy-fourth Congress, approved June 16, 1936, pending reimbursement to the District of Columbia by the Department of Agriculture, reimbursement to be credited to fund from which payment was made.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the Dis-

trict of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

Use for testing laboratory, etc., forbidden.

## WATER SERVICE

Water Service.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington aqueduct and its appurtenances and for expenses for water department, namely:

From water revenues.

### WASHINGTON AQUEDUCT

Washington Aqueduct.

For operation, including salaries of all necessary employees, maintenance and repair of Washington aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services; purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed \$650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, \$540,000, including \$40,000 for emergency repairs caused by the floods of the Potomac River in March 1936 and April 1937.

Maintenance, etc., of, and accessories.

Meters on Federal services.

Emergency repairs.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

Superintendence of Secretary of War not affected.

For revenue and inspection and distribution branches: For personal services, \$179,670.

Revenue inspection and distribution branches.

For the maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and motor vehicles such as are now owned, and the replacement by purchase and exchange of the following motor-propelled vehicles: One two-passenger coupe and one five-passenger sedan at not to exceed \$600 each; three station wagons at not to exceed \$750 each; one truck at not to exceed \$500; four trucks at not to exceed \$750 each; one truck at not to exceed \$800; one truck at not to exceed \$3,300; and one special truck at not to exceed \$3,500; and the purchase of the following additional motor vehicles: five trucks at not to exceed \$750 each; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed \$2,500; postage, purchase of technical reference books and periodicals not to exceed \$275, and other necessary items, \$7,500; in all for maintenance, \$367,800, of which not exceeding \$5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

Operating expenses.



Extension of distribution system.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, \$300,000.

Meters.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, \$220,000.

Hydrants.

For installing fire and public hydrants, \$22,500.

Replacement of old mains, etc.

For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, \$135,000.

Investment of water funds.

The Treasurer of the United States is authorized to invest in United States securities for the account of the water fund of the District of Columbia such funds as may be determined by the Commissioners to be available for that purpose during the fiscal year 1938, and such funds are appropriated for this purpose from the revenues of the Water Department.

New mains.

For the construction of approximately seven thousand six hundred feet of thirty-six inch trunk line water main from the vicinity of First and L Streets Northwest to the vicinity of East Capitol and Second Streets, \$171,000; for the construction of approximately three thousand and eighty feet of twenty-four, thirty, and forty-eight inch trunk water main in the vicinity of Washington Circle, including minor changes in present construction, \$85,000; in all, \$256,000, to be paid wholly from the revenues of the Water Department and to be disbursed and accounted for as "Mains, Water Department, District of Columbia", and for that purpose shall constitute one fund.

Refunds of erroneous charges.

For the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, \$3,500: *Provided*, That this appropriation shall be available for such refunds of payments made within the past two years.

*Proviso.*  
Availability.

Survey of water system, expenses.

For expenses of a survey to determine the reproduction cost and historical cost of the water system of the District of Columbia, and the proper water rates to cover not only operating expenses but also depreciation reserve, including the employment of engineering or other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and such other expenses as may be approved by the Commissioners, \$20,000, to be immediately available and to be payable from the water revenues of said District of Columbia.

R. S. § 3709.  
41 U. S. C. § 5.

Construction work, etc., under Commissioners.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed \$42,000 during the fiscal

*Provisos.*  
Limitation.

year 1938: *Provided further*, That, excluding inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year.

Maximum period of employment.

Appropriations in this Act shall be available for payment by the District of Columbia of its contributions as an employer, in accordance with the provisions of the District of Columbia Unemployment Compensation Act (49 Stat., p. 946).

D. C. Unemployment Compensation Act, contributions, 49 Stat. 946.

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

Temporary labor, etc.

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

Horses, vehicles, etc.

*proviso; Temporary work, etc.*

SEC. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as the miscellaneous trust-fund deposits; District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be

Miscellaneous trust fund deposits. Expenses payable from. 33 Stat. 368.

*Proviso.*  
Employment of labor.

paid from said appropriation account: *Provided*, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

Material, supplies, vehicles, etc.  
*Proviso.*  
Purchase of.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Surplus articles,  
price basis.

*Proviso.*  
Transfers under Executive order.

Limitation on rentals.

SEC. 6. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: *Provided*, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: *Provided further*, That the appropriations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

*Provisos.*  
Prior leases.

Unexpended balances to be covered in.

Pay increase by re-allocation of position forbidden.

SEC. 7. No part of the appropriations contained in this Act shall be used to pay any increase in the salary of any officer or employee by reason of the reallocation of the position of such officer or employee to a higher grade after June 30, 1937, by the Civil Service Commission, and salaries paid accordingly shall be payment in full: *Provided*, That the foregoing limitation shall not apply to the reallocation of positions where the salary is less than \$2,600 per annum.

*Proviso.*  
Exceptions.

Issuance of congressional tags limited.  
47 Stat. 750.

SEC. 8. No part of this appropriation shall be available for any expense for or incident to the issuance of congressional tags except to those persons set out in the Act of December 19, 1932 (47 Stat. 750), including the Speaker and the Vice President.

Credit allowed for designated disbursements.

SEC. 9. Credit is allowed in the accounts of the District of Columbia for disbursements made from the permanent and indefinite appropriation "Refund of erroneously paid taxes, D. C.", amounting to \$3,229.90, covered by audit numbers 33,568, 37,304, 45,549, 53,546, 63,399, and 70,165, and General Accounting Office Certificate Numbered F-5872-DC, dated July 24, 1933.

Approved, June 29, 1937.

## [CHAPTER 404]

## AN ACT

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes.

June 29, 1937  
[H. R. 6523]  
[Public, No. 173]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, namely:

Department of Agriculture and Farm Credit Administration appropriations, fiscal year 1938.

## TITLE I—DEPARTMENT OF AGRICULTURE

### OFFICE OF THE SECRETARY

Title I—Department of Agriculture.

Secretary's office.

#### SALARIES

Salaries.

For the Secretary of Agriculture, Under Secretary of Agriculture, Assistant Secretary, and for other personal services in the District of Columbia, and elsewhere, \$452,700: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or, (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed \$1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed \$40,000 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a): *Provided further*, That with the approval of the Secretary of Agriculture employees of the Department of Agriculture

Secretary, Under Secretary, Assistant, and other personal services.

*Proviso.*  
Salaries limited to average rates under Classification Act.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Where only one position in grade.

Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

Contracts for stenographic reporting.

Purchase of options on lands.

Allowances for living quarters abroad.

46 Stat. 818.  
5 U. S. C. § 118a.  
Advance payments.

Employees predicting future prices of cotton; payments to, forbidden.

Use for investigating effects of insecticide spray on fruits, etc., forbidden.

stationed abroad may enter into leases for official quarters, for periods not exceeding one year, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same: *Provided further*, That no part of the funds appropriated by this Act shall be used for laboratory investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

#### MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Miscellaneous expenses.

Vehicles.

Amount of balance reappropriated.

*Provisos.*  
Maintenance, etc., of vehicles; transfer of funds.

42 Stat. 508.  
5 U. S. C. § 543.  
Maintenance of stationery, etc., stocks.

Maximum.

Reimbursement from other appropriations.

47 Stat. 417.  
31 U. S. C. § 686.

Employees handling, etc., supplies.

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, furniture, carpets, and mattings; for freight, express charges, advertising and press clippings, telegraphing, telephoning, postage, washing towels; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase of one motor-propelled passenger-carrying vehicle at not to exceed \$2,500, including the exchange value of one such vehicle, for official purposes only; for official traveling expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, \$105,750, together with not to exceed \$10,000 of the unexpended balance of the appropriation for these purposes for the fiscal year 1937: *Provided*, That this appropriation shall be available for the payment of salaries of employees engaged in the maintenance, repair, and operation of motor transport vehicles, and that this appropriation shall be reimbursed from the appropriation made for any bureau or office for which such service is performed, in accordance with the provisions of the Act of May 11, 1922 (U. S. C., title 5, sec. 543): *Provided further*, That the Secretary of Agriculture, during the fiscal year for which this appropriation is made, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate \$200,000 in value at the close of the fiscal year, and the appropriations of such bureaus, offices, and agencies available for the purchase of stationery, supplies, equipment, and miscellaneous materials shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are allotted, assigned, or issued, or when payment is received; for transfer for the purchase of inventory; and for transfer pursuant to the provisions of section 601 of the Act approved June 30, 1932 (U. S. C., title 31, sec. 686): *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries and expenses for purchasing, storing, handling, packing, or shipping supplies and blank forms, and there shall be charged proportionately as a part of the cost of sup-

plies issued an amount to cover such salaries and expenses, and in the case of blank forms and supplies not purchased from this appropriation an amount to cover such salaries and expenses shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget.

Use of central storehouse.

Segregation of transactions.

#### RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, \$33,000.

Total, Office of the Secretary, \$591,450.

Rent.

Buildings in the District of Columbia.

#### OFFICE OF THE SOLICITOR

Salaries and expenses: For the employment of personal services in the District of Columbia and elsewhere, and for other necessary expenses, \$194,160, of which not to exceed \$163,861 may be expended for personal services in the District of Columbia.

Solicitor's office.

Salaries and expenses.

#### OFFICE OF INFORMATION

##### SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, \$366,480, of which not to exceed \$347,458 may be used for personal services in the District of Columbia.

Office of Information.

Salaries and expenses.

Services in the District.

##### PRINTING AND BINDING

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$887,650, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the Acts of January 12, 1895 (U. S. C., title 44, secs. 111, 212-220, 222, 241, 244), March 4, 1915 (U. S. C., title 7, sec. 418), and June 20, 1936 (U. S. C., Supp. II, title 5, sec. 108), and in pursuance of the Act approved March 30, 1906 (U. S. C., title 44, secs. 214, 224), and also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (U. S. C., title 44, secs. 111, 220).

Total, Office of Information, \$1,254,130.

Printing and binding.

Annual Report of the Secretary.  
28 Stat. 612; 34 Stat. 825; 49 Stat. 1550.  
44 U. S. C. §§ 111, 212-220, 222, 241, 244;  
7 U. S. C. § 418; 5 U. S. C., Supp. II, § 108.  
34 Stat. 825.  
44 U. S. C. §§ 214, 224.  
Farmers' bulletins.

Exceptions.

40 Stat. 1270.  
44 U. S. C. §§ 111, 220.

## Library.

## LIBRARY, DEPARTMENT OF AGRICULTURE

## Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers, and when authorized by the Secretary of Agriculture for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, \$105,420, of which amount not to exceed \$71,600 may be expended for personal services in the District of Columbia.

## Services in the District.

## Experiment Stations office.

## OFFICE OF EXPERIMENT STATIONS

## PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICULTURAL EXPERIMENT STATIONS

## Support of stations.

24 Stat. 440.  
7 U. S. C. §§ 362, 363,  
365, 368, 377-379.  
College-aid land  
grants.  
12 Stat. 503.  
7 U. S. C. §§ 301-308.

## Increased allotments.

34 Stat. 63.  
7 U. S. C. § 369.

## Further allotments.

43 Stat. 970.  
7 U. S. C. §§ 361,  
366, 370, 371, 373-376,  
380, 382.

## Hawaii.

46 Stat. 571.  
7 U. S. C. §§ 386-  
386b.

## Alaska.

45 Stat. 1256.  
7 U. S. C. § 386c.

## Benefits of other provisions extended to.

49 Stat. 1554.  
7 U. S. C., Supp. II,  
§ 369a.

## Puerto Rico.

46 Stat. 1520.  
7 U. S. C. §§ 386d-  
386f.

## Research into basic agricultural laws and principles.

49 Stat. 436.  
7 U. S. C., Supp. II,  
§§ 427-427g.

Hatch Act: To carry into effect the provisions of an Act approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377-379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (U. S. C., title 7, secs. 301-308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, \$720,000.

Adams Act: To carry into effect the provisions of an Act approved March 16, 1906 (U. S. C., title 7, sec. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, \$720,000.

Purnell Act: To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations", approved February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373-376, 380, 382), \$2,880,000.

Hawaii: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the Territory of Hawaii", approval May 16, 1928 (U. S. C., title 7, secs. 386-386b), \$50,000.

Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), \$15,000; and the provisions of section 2 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (U. S. C., Supp. II, title 7, sec. 369a), \$7,500; in all, for Alaska, \$22,500.

Puerto Rico: To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the Territory of Puerto Rico", approved March 4, 1931 (U. S. C., title 7, secs. 386d-386f), \$40,000.

Title 1, Bankhead-Jones Act: For payments to States, Hawaii, Alaska, and Puerto Rico, pursuant to authorizations contained in title 1 of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges",

approved June 29, 1935 (U. S. C., Supp. II, title 7, secs. 427-427g), \$1,800,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, \$6,232,500.

#### SALARIES AND EXPENSES

Administration of grants to States and coordination of research: To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377-379), March 16, 1906 (U. S. C., title 7, secs. 369, 375), February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373-376, 380, 382), May 16, 1928 (U. S. C., title 7, secs. 386-386b), February 23, 1929 (U. S. C., title 7, sec. 386c), March 4, 1931 (U. S. C., title 7, secs. 386d-386f), and June 20, 1936 (U. S. C., Supp. II, title 7, sec. 369a), and Acts amendatory or supplementary thereto, relative to their administration and for the administration of agricultural experiment stations in Hawaii and Puerto Rico, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside the District of Columbia, \$161,735; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the Department of Agriculture and coordinate the research work of the Department with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

Insular experiment stations: To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Hawaii and Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$69,311, as follows: \$2,066 for Hawaii, and \$67,245 for Puerto Rico: *Provided*, That the Secretary of Agriculture may, at his discretion, transfer such equipment, including the library, of the Hawaii Experiment Station, as he may deem necessary and advisable to the experiment station of the University of Hawaii, conducted jointly and in collaboration with the Federal station under the Act of May 16, 1928 (U. S. C., title 7, secs. 386-386b); and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Hawaii and Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

In all, salaries and expenses, \$231,046.

Total, Office of Experiment Stations, \$6,463,546, of which amount not to exceed \$150,105 may be expended for personal services in the District of Columbia, and not to exceed \$725 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

#### SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for

Total.

Salaries and expenses.

Administration of stations, etc.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571, 1256; 46 Stat. 1520.

7 U. S. C. §§ 361-363, 365, 366, 369-371, 373-380, 382, 386-386f.

49 Stat. 1553.  
7 U. S. C., Supp. II, § 369a.

Hawaii and Puerto Rico.

Rent.

Annual financial statement, forms.

Insular experiment stations.

*Provided*.  
Transfer of equipment.

45 Stat. 571.  
7 U. S. C. §§ 386-386b.  
Sale of products.

Receipts covered in.

Services in the District.

Vehicles, field service.

Special research fund; administrative expenses.



49 Stat. 436.  
7 U. S. C., Supp. II,  
§§ 427, 427b, 427c, 427f.  
Administration of  
stations.

#### Vehicles.

the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (U. S. C., Supp. II, title 7, secs. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, and coordination of such research, to be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, \$1,200,000.

#### Extension Service.

### EXTENSION SERVICE

#### PAYMENTS TO STATES, HAWAII, AND ALASKA

Cooperative extension work, allotments.

38 Stat. 372; 45 Stat. 577, 711.  
7 U. S. C. §§ 341-348.

12 Stat. 503.  
7 U. S. C. §§ 301-308.

Use of funds.

*Proviso.*  
Expenses, other than salaries of county agents.

Further cooperation with State colleges.

12 Stat. 503; 38 Stat. 372; 45 Stat. 711; 46 Stat. 83.  
7 U. S. C. §§ 301-308, 343a, 343b.

Cooperative State agricultural extension work.

49 Stat. 438.  
7 U. S. C., Supp. II, § 343c.

Extension work in Alaska.

45 Stat. 1256.  
7 U. S. C. § 386c.

Benefits of designated Acts extended to.

Supplementary cooperative extension work: For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the Act of May 8, 1914 (U. S. C., title 7, secs. 341-348), entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving benefits of an Act of Congress approved July 2, 1862 (U. S. C., title 7, secs. 301-308), and of Acts supplementary thereto, and the United States Department of Agriculture", \$790,000; and all sums appropriated by this Act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said Act of May 8, 1914: *Provided*, That of the above appropriation not more than \$300,000 shall be expended for purposes other than salaries of county agents.

Capper-Ketcham extension work: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (U. S. C., title 7, secs. 301-308), and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928 (U. S. C., title 7, secs. 343a, 343b), \$1,480,000.

Extension work, section 21, Bankhead-Jones Act: To enable the Secretary of Agriculture to carry into effect the provisions of section 21, title II, of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (U. S. C., Supp. II, title 7, sec. 343c), \$10,000,000.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), \$13,918; and the provisions of section 3 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-

Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (U. S. C., Supp. II, title 7, sec. 343e), \$5,000; in all, for Alaska, \$18,918.

49 Stat. 1554.  
7 U. S. C., Supp. II,  
§ 343e.

Additional cooperative extension work: For additional cooperative agricultural extension work, including employment of specialists in economics and marketing, to be allotted and paid by the Secretary of Agriculture to the several States and the Territory of Hawaii in such amounts as he may deem necessary to accomplish such purposes, \$500,000.

Additional coopera-  
tive extension work.

In all, payments to States, Hawaii, and Alaska for agricultural extension<sup>1</sup> work, \$12,788,918.

#### SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, \$126,246.

Administrative ex-  
penses.

Farmers' cooperative demonstration work: For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$554,670: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of businessmen, business organizations, and individuals within the State.

Farmers' coopera-  
tive demonstration  
work.

Farmers' institutes.

*Provided*.  
Voluntary contribu-  
tions within State  
accepted.

Motion pictures: For the preparation and distribution of motion and sound pictures, and sound recordings, as a means of disseminating information to farmers and others on the results of scientific research of the Department, and of teaching improved methods and practices in agriculture, home economics, and other subjects related to the work of the Department of Agriculture; including the employment of persons and means in the District of Columbia and elsewhere, \$79,000.

Motion and sound  
pictures.  
Preparation and dis-  
tribution.

Agricultural exhibits at fairs: To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance in or outside the city of Washington, \$85,000.

Agricultural exhibits  
at fairs.

Cooperative farm forestry: For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelterbelts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564-570), including personal services in the District of Columbia, \$56,838.

Cooperative farm  
forestry.

Timber growth.  
43 Stat. 654.  
16 U. S. C. §§ 564-  
570.

<sup>1</sup> So in original.

Services in the District.

In all, salaries and expenses, \$901,754, of which amount not to exceed \$679,416 may be expended for personal services in the District of Columbia.

Total, Extension Service, \$13,690,672.

Weather Bureau.

## WEATHER BUREAU

### SALARIES AND EXPENSES

Salaries and expenses.

26 Stat. 653.  
15 U. S. C. §§ 311-313, 317.

Air navigation reports.  
44 Stat. 571.  
15 U. S. C. § 313.  
Personal services.

Contingent expenses.

Telegraphing, etc.

Issuing forecasts and warnings.

Cooperation with other bureaus, etc.

Administrative expenses.

General weather service and research.

Weather relationship to forest fires.  
45 Stat. 701.  
16 U. S. C. § 581e.

For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (U. S. C., title 15, secs. 311-313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and the amendment thereof contained in section 5 (e) of the Air Commerce Act of 1926 (U. S. C., title 15, sec. 313), for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, foremen, assistant foremen, proofreaders, compositors, pressmen, lithographers, folders and feeders, repair men, station agents, messengers, messenger boys, laborers, special observers, display men, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationery, ice, dry goods, twine, mats, oil, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence, and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals, and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops; and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, and not to exceed \$25,000 for the purchase of an offset lithographic press and equipment therefor, \$170,000.

General weather service and research: For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including \$3,930 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581e),

\$2,342,870, of which not to exceed \$1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed \$10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau.

**Aerology:** For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, \$2,190,179, of which \$55,000 shall be immediately available.

**Total.** Weather Bureau, \$4,703,049, of which amount not to exceed \$548,600 may be expended for personal services in the District of Columbia: *Provided*, That Weather Bureau part-time employees, appointed by designation or otherwise, under regulations of the Civil Service Commission, for observational work, may perform odd jobs in the installation, repair, improvement, alteration, cleaning, or removal of Government property and receive compensation therefor at rates of pay to be fixed by the Secretary of Agriculture.

## BUREAU OF ANIMAL INDUSTRY

### SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1884 (U. S. C., title 7, sec. 391; title 21, secs. 112–119, 130), establishing a Bureau of Animal Industry, and the provisions of the Act approved March 3, 1891 (U. S. C., title 45, secs. 75, 76), providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (U. S. C., title 21, secs. 101–105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (U. S. C., title 21, secs. 111–113, 120–122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (U. S. C., title 21, secs. 123–128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the provisions of the Act of June 29, 1906 (U. S. C., title 45, secs. 71–74), entitled “An Act to prevent cruelty to animals while in transit by railroad or other means of transportation”; and for carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71–94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (U. S. C., title 31, sec. 725a); and for carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals; and for carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), as amended by the Act of August 14, 1935 (U. S. C., Supp. II, title 7, secs. 218–218d); and the Secretary of Agriculture, upon application of any

International Meteorological Committee.

Printing office.

*Proviso.*  
Printing restrictions.

Aerological stations.

Services in the District.

*Proviso.*  
Part-time employees.

Animal Industry Bureau.

General expenses.  
23 Stat. 31.  
7 U. S. C. § 391; 21 U. S. C. §§ 112–119, 130.  
26 Stat. 833.  
45 U. S. C. §§ 75, 76.

26 Stat. 414.  
21 U. S. C. §§ 101–105.

Contagious diseases, etc.  
32 Stat. 792.  
21 U. S. C. §§ 111–113, 120–122.

Cattle quarantine.  
33 Stat. 1264.  
21 U. S. C. §§ 123–128.

Twenty-eight hour law.  
34 Stat. 607.  
45 U. S. C. §§ 71–74.

Equine meat inspection.  
34 Stat. 674, 1260; 41 Stat. 241.  
21 U. S. C. §§ 95, 71–94, 96.

48 Stat. 1225.  
31 U. S. C. § 725a.

Animal viruses, etc.  
37 Stat. 832.  
21 U. S. C. §§ 151–158.

Packers and Stockyards Act.  
42 Stat. 159; 49 Stat. 648.  
7 U. S. C. §§ 181–229; Supp. II, §§ 218–218d.

Inspections other than at headquarters.	exporter, importer, packer, owner, agent of, or dealer in livestock, hides, skins, meat, or other animal products, may, in his discretion, make inspections and examinations at places other than the headquarters of inspectors for the convenience of said applicants and charge the applicants for the expenses of travel and subsistence incurred for such inspections and examinations, the funds derived from such charges to be deposited in the Treasury of the United States to the credit of the appropriation from which the expenses are paid; and to enable the Secretary of Agriculture to collect and disseminate information concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including poultry, or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, contagious poultry diseases, or other diseases of animals from one State to another, as follows:
Fees credited to appropriate fund.	
Collecting and disseminating information.	
Personal services.	
Tuberculin, serums, etc.	
Purchase and destruction of diseased, etc., animals, including poultry.	
General administrative expenses.	General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$178,220.
Animal husbandry. Feeding, breeding, etc., experiments.	Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside the District of Columbia, and all other necessary expenses, \$789,380, including \$12,500 for livestock experiments and demonstrations at Big Springs or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year 1938: <i>Provided</i> , That of the sum thus appropriated \$238,957 may be used for experiments in poultry feeding and breeding, of which amount \$40,000 may be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries.
Big Springs, Tex., cooperative demonstrations, etc.; condition.	
<i>Proviso</i> . Poultry feeding and breeding.	
Animal diseases investigations. Beltsville, Md., station. Bethesda, Md., station.	Diseases of animals: For all necessary expenses for scientific investigations of diseases of animals, including the construction of necessary buildings at Beltsville, Maryland, the maintenance of the Bureau experiment station at Bethesda, Maryland, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$447,775: <i>Provided</i> , That of said sum \$78,182 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.
<i>Proviso</i> . Contagious abortion of animals.	
Eradicating tuberculosis, etc.	Eradicating tuberculosis: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, and avian tuberculosis, for the tuberculin testing of animals, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, or State, Territory, or county authorities,

\$1,603,000, of which \$1,103,116 shall be set aside for administrative and operating expenses and \$499,884 for the payment of indemnities: *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary, within the limitations above provided, for the payment of indemnities, for the reimbursement of owners of such animals, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous or paratuberculous cattle and for compensation to owners of cattle so condemned, but no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal, and that no payment shall be made unless the owner has complied with all lawful quarantine regulations.

*Provisos.*  
Indemnities for animals destroyed.

Cooperation with States, etc.

Compensation limited.

Eradicating cattle ticks: For all necessary expenses for the eradication of southern cattle ticks, \$513,940: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or exhibitions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Eradicating southern cattle ticks.  
*Proviso.*  
Purchase of animals, etc., limited.

Materials for dipping vats.

Hog-cholera control: For the control and eradication of hog cholera and related swine diseases, by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, \$127,192.

Hog-cholera control.

Inspection and quarantine: For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle and dourine in horses, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, altera-

Inspection and quarantine.

Mallein testing of animals.

Meat inspection.  
34 Stat. 679, 1260.  
21 U. S. C. §§ 95, 71-94, 96.

Equine meat.  
48 Stat. 241.  
31 U. S. C. § 725a.

Virus-Serum-Toxin Act.  
37 Stat. 832.  
21 U. S. C. §§ 151-158.

Marketing agreements with respect to hog cholera virus and serum.  
49 Stat. 781.  
7 U. S. C., Supp. II, §§ 851-855.

Packers and Stockyards Act.  
42 Stat. 159; 49 Stat. 648.  
7 U. S. C. §§ 181-229; 7 U. S. C., Supp. II, §§ 218-218d.  
*Provisos.*  
Bonds from agencies and dealers.

Suspension for violation.

Fee for inspecting brands.

Not imposed unless requested.

Contagious diseases of animals.

Emergency eradication, foot-and-mouth, etc., diseases.

Balances available.

Payment for destroyed animals.

tions, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, \$680,000.

**Meat inspection:** For expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71-94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (U. S. C., title 31, sec. 725a), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, \$5,433,000.

**Virus-Serum-Toxin Act:** For carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, \$218,712.

**Marketing agreements with respect to hog cholera virus and serum:** The sum of \$30,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year 1938 to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (U. S. C., Supp. I, title 7, secs. 851-855), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

**Packers and Stockyards Act:** For necessary expenses in carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181-229), as amended by the Act of August 14, 1935 (U. S. C., Supp. II, title 7, secs. 218-218d), \$381,879: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: *Provided further*, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: *Provided further*, That such fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

#### ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including

the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of \$5,000 of the unexpended balance of the appropriation of \$3,500,000 contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1938 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Total, Bureau of Animal Industry, \$10,373,098, of which amount not to exceed \$825,451 may be expended for departmental personal services in the District of Columbia, and not to exceed \$71,455 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## BUREAU OF DAIRY INDUSTRY

### SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1924 (U. S. C., title 7, secs. 401-404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of Bureau and other personal services in the District of Columbia, \$70,495.

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, including repairs to buildings, not to exceed \$5,000 for the construction of buildings, \$633,199.

Total, Bureau of Dairy Industry, \$703,694, of which amount not to exceed \$313,020 may be expended for personal services in the District of Columbia.

## BUREAU OF PLANT INDUSTRY

### SALARIES AND EXPENSES

For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries in cooperation with other branches of the Department, the State experiment stations, and practical farmers, and for the erection of necessary farm build-

*Provisos.*  
Appraisement based  
on meat, etc., value.  
Limitation.

Eradicating Euro-  
pean fowl pest, etc.  
43 Stat. 682.

Services in the Dis-  
trict.  
Vehicles.

Dairy Industry Bu-  
reau.

Salaries and ex-  
penses.

43 Stat. 243.  
7 U. S. C. §§ 401-404.

Administrative ex-  
penses.

Investigations, dem-  
onstrations, etc.

Services in the Dis-  
trict.

Plant Industry Bu-  
reau.

Salaries and ex-  
penses.

Investigating fruits,  
plants, products, etc.  
*Post*, p. 761.



*Proviso.*  
Cost limit for build-  
ings.  
Field, etc., expenses.

Investigators,  
agents, etc.

Administrative ex-  
penses.

Arlington, Va., ex-  
perimental farm, etc.

31 Stat. 135.

Wild plants and  
grazing lands.

Eradicating noxious  
weeds.

Cereal crops and  
diseases, investiga-  
tion, etc.

Flax, broomcorn,  
etc.

Cotton, etc., pro-  
duction and diseases.

Sea Island cotton.  
*Proviso.*  
Acquisition of tract  
near Greenville, Tex.

Drug, etc., plants.

Dry-land, etc., agri-  
culture.

*Post*, p. 761.

*Proviso.*  
New field station  
forbidden.

Experimental green-  
house maintenance.

Forage crops and  
diseases.

Forest pathology.

ings: *Provided*, That the cost of any building erected, except head houses connecting greenhouses, shall not exceed \$2,500; for field and station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside the District of Columbia; and for the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all labor and other necessary expenses in the city of Washington and elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$189,242.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat., pp. 135, 136), \$49,414.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of weeds and means of their control, \$76,635, of which \$40,000 shall be expended for scientific investigation concerning control and eradication of white top, bind weed, and other noxious weeds.

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production and for the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, \$541,721.

Cotton and other fiber crops and diseases: For investigation of the production of cotton and other fiber crops, including the improvement by cultural methods, breeding, and selection, fiber yield and quality, and the control of diseases, \$406,435, of which sum not less than \$15,000 shall be used for experimenting in Sea Island cotton, including its hybridization with other varieties: *Provided*, That the Secretary of Agriculture is authorized to acquire, by gift, devise, or by purchase in fee simple for a sum not to exceed one dollar, a tract of land containing approximately fifteen acres, now a part of the cotton field station near Greenville, Texas.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, \$47,139.

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, \$215,578: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

Experimental greenhouse maintenance: For maintenance and operation of experimental greenhouses and adjacent experimental grounds and plots, \$78,632.

Forage crops and diseases: For the investigation and improvement of forage crops, including grasses, alfalfas, clovers, soybeans, lespedezas, vetches, cowpeas, field peas, and miscellaneous legumes; for the investigation of green-manure crops and cover crops; for investigations looking to the improvement of pastures; and for the investigation of forage-crop diseases and methods of control, \$300,193.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease,

the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including \$134,850 for investigations of diseases of forest trees and forest products, under section 3 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581b), \$259,592.

**Fruit and vegetable crops and diseases:** For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, \$1,179,482.

**Genetics and biophysics:** For biophysical investigations in connection with the various lines of work herein authorized, \$31,675.

**Mycology and disease survey:** For mycological collections and the maintenance of a plant-disease survey, \$45,818.

**National Arboretum<sup>1</sup>:** For the maintenance and development of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (U. S. C., title 20, secs. 191-194), including not exceeding \$80,000 for acquisition of additional land, notwithstanding the limitations of said Act of March 4, 1927, erection of buildings, salaries in the city of Washington and elsewhere, traveling expenses of employees and advisory council, and other necessary expenses, \$122,000, of which such amounts as may be necessary may be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil-service rules.

**Nematology:** For crop technological investigations, including the study of plant-infesting nematodes, \$48,961.

**Plant exploration and introduction:** For investigations in seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, \$204,483.

**Plant nutrition:** For plant-nutrition investigations, \$16,024.

**Rubber and other tropical plants:** For investigation of crops, from tropical regions, and for the study and improvement of rubber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, \$46,749.

**Seed investigations:** For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, and for carrying out the provisions of the Act approved August 24, 1912 (U. S. C., title 7, secs. 111-114), entitled "An Act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes", as amended by the Act approved April 26, 1926 (U. S. C., title 7, secs. 111, 115, 116), \$72,293: *Provided*, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating

45 Stat. 701.  
16 U. S. C. § 581b.

Fruit and vegetable  
crops and diseases in-  
vestigation, etc.

Genetics and bio-  
physics.

Mycology and dis-  
ease survey.

National Arboretum.

44 Stat. 1422.  
20 U. S. C. §§ 191-  
194.

Landscape archi-  
tects.

Nematology.

Plant exploration  
and introduction.

Plant nutrition in-  
vestigations.  
Rubber, etc., plants.

Seed investigations.

Preventing admis-  
sion, etc.  
37 Stat. 506; 44 Stat.  
325.  
7 U. S. C. §§ 111-116.

*Provis.*  
International Seed  
Testing Congress.

<sup>1</sup> So in original.

the work of the various adhering governments on problems relating to seed analysis or other subjects which the Congress may determine to be necessary in the interest of international seed trade.

Soil-fertility investigations.

Soil-fertility investigations: For soil investigations into causes of infertility; maintenance of productivity; effects of soil composition, cultural methods, and fertilizers on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, \$172,157.

Soil microbiology investigations.

Soil microbiology investigations: For investigations of the micro-organisms of the soil and their activities, including the testing of samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, \$39,854.

Publishing results of tests of cultures, etc.

Sugar-plant investigations.

Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, \$428,700, of which \$100,000 shall be immediately available for the establishment of a sugarcane station at Houma, Louisiana: *Provided*, That not to exceed \$12,500 of this latter amount may be expended for the purchase of land: *Provided further*, That the limitations in this Act as to the cost of farm buildings shall not apply to this paragraph.

Houma, La., station, establishment.

*Proviso.*  
Purchase of land.  
Cost of buildings.  
*Ante*, p. 408.

Tobacco investigations.

Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, \$137,744.

Western irrigation agriculture.  
Utilizing reclaimed lands.

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the Reclamation Act, and other areas in the arid and semiarid regions, \$122,527.

Services in the District.

Total, Bureau of Plant Industry, \$4,833,048, of which amount not to exceed \$1,514,395 may be expended for departmental personal services in the District of Columbia and not to exceed \$19,575 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Vehicles.

Forest Service.

## FOREST SERVICE

Salaries and expenses.

### SALARIES AND EXPENSES

Experiments, etc.

Restricted to United States.

To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$7,500, with the exception that any building erected, purchased, or acquired, the cost of which was \$7,500 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed two per centum of the cost of such building as certified by the

*Proviso.*  
Cost of buildings.

Secretary of Agriculture; to pay all expenses necessary to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, reference and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service: *Provided further*, That the appropriations for the work of the Forest Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies and materials stored therein for distribution to projects under the supervision of the Forest Service and for sale and distribution to other Government activities, the cost of such supplies and materials, including the cost of supervision, transportation, and handling, to be reimbursed to appropriations current at the time additional supplies and materials are procured for warehouse stocks from the appropriations chargeable with the cost of stock issued; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, and washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside the District of Columbia, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (U. S. C., title 16, sec. 514), and for other personal services in the District of Columbia, \$607,500.

National Forest Administration: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the compensation and traveling expenses of field personnel; the purchase of materials, supplies, and equipment; the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise, including the purchase of one airplane; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction, equipment, and maintenance of sanitary, fire preventive and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and

Protection, etc., of national forests.

Care of fish and game.

Supplies, etc.

Warehouse maintenance, etc.

Outside rent.

Administrative, etc., expenses. Chief Forester, National Forest Reservation Commission, etc. 36 Stat. 962. 16 U. S. C. § 514.

National Forest Administration.

Nurseries.

Aerial fire control.

*Provided*. Direct purchases.

Lands opened to entry, etc.	game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906 (U. S. C., title 16, secs. 506-509), and the Act of August 10, 1912 (U. S. C., title 16, sec. 506), as provided by the Act of March 4, 1913 (U. S. C., title 16, sec. 512), and all other expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (U. S. C., title 16, sec. 521), and the Act of June 7, 1924 (U. S. C., title 16, secs. 471, 499, 505, 564-570), \$11,425,950: <i>Provided</i> , That \$200 of this appropriation shall be available for the expenses of properly caring for the graves of fire fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho.
34 Stat. 233; 37 Stat. 287, 842; 43 Stat. 1144. 16 U. S. C. §§ 506-509, 512.	
Purchase or acquisition.	Water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests, \$10,000.
36 Stat. 963; 43 Stat. 655. 16 U. S. C. §§ 521, 471, 499, 505, 564-570. <i>Proviso.</i> Care of graves of fire fighters.	
Water rights, investigations, etc.	
Fighting forest fires. Revested Oregon-California lands, etc.	Fighting forest fires: For fighting and preventing forest fires on or threatening the national forests and for the establishment and maintenance of a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the Act approved June 9, 1916 (39 Stat., p. 218), and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711), in the Circuit Court of Appeals of the Ninth Circuit, and unappropriated public forest lands, \$100,000, which amount shall be immediately available.
39 Stat. 218. Coos Bay Wagon Road lands.	
Forest research. 45 Stat. 699. 16 U. S. C. §§ 581, 581a, 581f-581i.	Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928 (U. S. C., title 16, secs. 581, 581a, 581f-581i), as follows:
Forest management. 45 Stat. 701.	Forest management: Fire silvicultural, and other forest investigations and experiments under section 2, as amended, at forest experiment stations or elsewhere, \$638,403.
Range investigations. 45 Stat. 701.	Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$225,935.
Forest products, experiments, etc. 45 Stat. 701.	Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$628,361.
Forest survey. 45 Stat. 702.	Forest survey: A comprehensive forest survey under section 9, \$220,000.
Forest economics. 45 Stat. 702.	Forest economics: Investigations in forest economics under section 10, \$121,295.

**Forest influences:** For investigations and experiments at forest experiment stations or elsewhere for determining and demonstrating the influence of natural vegetative cover characteristic of forest, range, or other wild land on water conservation, flood control, stream-flow regulation, erosion, climate, and maintenance of soil productivity, and for developing preventive and control measures therefor, \$139,152.

In all, salaries and expenses, \$14,116,596; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (U. S. C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (U. S. C., title 16, sec. 498): *Provided*, That not to exceed \$808,939 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed \$1,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations.

Forest influences.

Aggregate; additional, from cooperative forest fund contributions.  
43 Stat. 1132.  
16 U. S. C. § 572.  
38 Stat. 430; 45 Stat. 993.  
16 U. S. C. § 498.

*Provisos.*  
Services in the District.  
International Union of Forest Research Stations, contribution.

#### FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564-570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said Act, \$1,655,007, of which not to exceed \$83,197 shall be available for departmental personal services in the District of Columbia and not to exceed \$2,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Forest-fire prevention, etc.

Cooperation with States, etc.

43 Stat. 653.  
16 U. S. C. §§ 564-570.

Tax laws and timber insurance investigation.  
Services in the District.  
Supplies and equipment.

#### COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in establishing windbreaks, shelter belts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, sec. 567), and Acts supplementary thereto, \$70,579, of which amount not to exceed \$3,610 may be expended for departmental personal services in the District of Columbia.

Forest planting stock.

Cooperation with States, etc., in reforestation.

43 Stat. 654.  
16 U. S. C. § 567.

Services in the District.

#### ACQUISITION OF LANDS FOR NATIONAL FORESTS

For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (U. S. C., title 16, secs. 513-519, 521), \$3,000,000: *Provided*, That not to exceed \$75,000 of the sum appropriated in this paragraph may be expended for departmental personal services in the District of Columbia.

For the acquisition of land in accordance with the provisions of the Act entitled "An Act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior

Additional forest lands.

Acquisition, under Conservation Act.  
36 Stat. 961.  
16 U. S. C. §§ 513-519, 521.

*Proviso.*  
Services in the District.  
Uinta and Wasatch National Forests, Utah.  
Soil erosion control, etc.

boundaries of the Uinta and Wasatch National Forests, Utah", approved August 26, 1935 (49 Stat., p. 866), not to exceed \$50,000 from the entire receipts from the sale of natural resources or occupancy of public land within said national forests for the fiscal year 1937.

Vehicles, field work. Total, Forest Service, \$18,892,182, of which amount not to exceed \$61,187 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21, 23), not to exceed \$7,803 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of national-forest roads.

Federal Highway Act.  
42 Stat. 217.  
23 U. S. C. §§ 21, 23.

Chemistry and Soils Bureau.

## BUREAU OF CHEMISTRY AND SOILS

Salaries and expenses.

### SALARIES AND EXPENSES

Investigations, demonstrations, etc.

For all necessary expenses connected with the investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities and other State agencies and institutions, counties, municipalities, business or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; rent outside the District of Columbia, and other necessary supplies and expenses, and for erection, alteration, and repair of buildings outside the District of Columbia at a total cost not to exceed \$5,000, as follows:

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$90,241.

Agricultural chemical investigations.

12 Stat. 387.  
5 U. S. C. §§ 511, 512.

Biological investigations, etc.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (U. S. C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups and starches and the utilization of new agricultural materials for such purposes; for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; for the investigation of chemicals for the control of noxious weeds and plants; and to cooperate with associations and scientific societies in the development of methods of analysis, \$360,260.

Investigation, etc., of methods of sugar manufacture, etc.

Farm products and byproducts.

Industrial utilization of, by chemical, etc., methods.

Industrial utilization of farm products and byproducts: For the investigation, development, experimental demonstration and application of methods for the industrial utilization of agricultural products, waste, and byproducts, and products made therefrom, except as otherwise provided for in this Act, by the application of chemical, physical, and technological methods, including the changes produced by micro-organisms such as yeasts, bacteria, molds, and fungi; the utilization for color, medicinal, and technical purposes of substances grown or produced in the United States, \$196,243.

**Agricultural fires and explosive dusts:** For the investigation, development, experimental demonstration, and application of methods for the prevention and control of dust explosions and fires during the harvesting, handling, milling, processing, fumigating, and storing of agricultural products, and for other dust explosions and resulting fires not otherwise provided for, including fires in grain mills and elevators, cotton gins, cotton-oil mills, and other structures; the heating, charring, and ignition of agricultural products; fires on farms and in rural communities and other explosions and fires in connection with farm and agricultural operations, \$48,403.

Agricultural fires and dust explosions.

**Naval-stores investigations:** For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (U. S. C., Supp. II, title 5, sec. 556b), \$81,400.

Naval-stores investigations, etc.

Turpentine and rosin, data.  
49 Stat. 653.  
5 U. S. C., Supp. II, § 556b.

**Soil survey:** For the investigation of soils and their origin, for survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, \$301,208.

Soil survey.

**Soil chemical and physical investigations:** For chemical, physical, and physical-chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erodibility, and soil productivity, \$78,081.

Soil types, etc., chemical and physical investigations.

**Fertilizer investigations:** For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid and potash, and other soil amendments and their suitability for agricultural use, \$269,595.

Fertilizer investigations.

**Total, Bureau of Chemistry and Soils, \$1,425,431,** of which amount not to exceed \$982,396 may be expended for personal services in the District of Columbia, and not to exceed \$1,575 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

## BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

### SALARIES AND EXPENSES

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, to enable the Secretary of Agriculture to carry into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended, to conduct other activities hereinafter authorized, and for the eradication, control, and prevention of spread of injurious insects and plant pests, independently or in cooperation with other branches of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Columbia and elsewhere, rent, construction, or repair of necessary

Entomology and Plant Quarantine Bureau.

Salaries and expenses.

Investigations, etc., of insects.

Plant Quarantine Act, enforcement.  
37 Stat. 315.  
7 U. S. C. §§ 151-167.



<i>Proviso.</i> Cost of buildings.	buildings outside the District of Columbia: <i>Provided</i> , That the cost for the construction of any building shall not exceed \$1,500, and that the total amount expended for such construction in any one year shall not exceed \$7,000, as follows:
General adminis- trative expenses.	General administrative expenses: For general administrative purposes, including the salary of Chief of Bureau and other personal services, \$166,280.
Fruit insects.	Fruit insects: For insects affecting fruits, grapes, and nuts, \$428,600.
Japanese beetle con- trol.	Japanese beetle control: For the control and prevention of spread of the Japanese beetle, \$425,000.
Mexican fruitfly control.	Mexican fruitfly control: For the control and prevention of spread of the Mexican fruitfly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$160,460.
Citrus canker erad- ication.	Citrus canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as "citrus canker" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, \$13,485: <i>Provided</i> , That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.
<i>Proviso.</i> No indemnity for destroyed trees, etc.	Sweet potato weevil control: For the determination and applica- tion of such methods of control for sweet potato weevils as, in the judgment of the Secretary of Agriculture, may be necessary, \$75,000 to be immediately available: <i>Provided</i> , That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for the control of sweet potato weevil in any State until such State has provided cooperation necessary to accomplish this purpose: <i>Provided further</i> , That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.
Sweet potato weev- il control.	Phony peach and peach mosaic eradication: For determining and applying such methods of eradication, control, and prevention of spread of the diseases of peach trees known as "phony peach" and "peach mosaic" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, \$89,800: <i>Provided</i> , That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.
<i>Provisos.</i> State contribution.	Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581c), entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", and for insects affecting ornamental trees and shrubs, \$253,100, of which \$400 shall be immediately available: <i>Provided</i> , That \$40,000 of this amount shall only be available for expenditure when matched by State funds.
No indemnity for destroyed, etc., prop- erty.	
Phony peach, etc., eradication.	
<i>Proviso.</i> No indemnity for destroyed trees, etc.	
Forest insects. Preventing infesta- tion, etc. 45 Stat. 701. 16 U. S. C. § 581c.	
Ornamental trees and shrubs. <i>Proviso.</i> State contributions.	

Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, \$400,000.

Gypsy and brown-tail moth control.

Blister rust control: For applying such methods of eradication, control, and prevention of spread of the white pine blister rust as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations concerned, \$300,000: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Blister rust control.

Dutch elm disease eradication: For determining and applying methods of eradication, control, and prevention of spread of the disease of elm trees known as "Dutch elm disease", \$460,860, to be immediately available: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

*Proviso.*  
No indemnity for destroyed trees, etc.  
Dutch elm disease eradication.

*Provisos.*  
Local contributions, etc.

No indemnity for destroyed trees, etc.

Truck crop and garden insects: For insects affecting truck crops, ornamental, and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, \$381,580.

Truck crop and garden insects.

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, \$364,329.

Cereal and forage insects.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, \$32,939.

European corn borer control.

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control and prevention of spread of cereal rusts as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, \$200,000: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Barberry eradication.

*Provisos.*  
State, etc., contribution.

No indemnity for property destroyed, etc.

Cotton insects: For insects affecting cotton, \$144,544.

Cotton insects.

Pink bollworm control: For the control and prevention of spread of the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$296,800.

Pink bollworm control.

Cooperation with Mexico.

Thurberia weevil control: For the control and prevention of spread of the Thurberia weevil, \$2,808.

Thurberia weevil control.

Bee culture.

Bee culture: For bee culture and apiary management, \$83,000.

Insects affecting man and animals: For insects affecting man, household possessions, and animals, \$182,600.

Insects affecting man and animals.

Insect pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and related phases of insect pest control and the maintenance of an insect

Identification and classification of insects.

Dissemination of information.	pest survey for the collection and dissemination of information to Federal, State, and other agencies concerned with insect pest control, \$159,790.
Foreign parasites.	Foreign parasites: For administrative expenses in connection with the introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods, \$38,000.
Control investigations.	Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect-pest control, \$62,518.
Fumigation investigations, etc.	Fumigation investigations: For the investigation and development of fumigants to be used in fumigating plants and plant products, the interstate movement of which is now restricted or prohibited by State plant-quarantine or plant-inspection laws, \$10,000.
Insecticide and fungicide investigations.	Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, \$148,984.
Transit inspection. 37 Stat. 315. 7 U. S. C. §§ 161, 164a.	Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (U. S. C., title 7, secs. 161, 164a), as amended, and for the interception and disposition of materials found to have been transported interstate in violation of quarantines promulgated thereunder, \$44,059.
Foreign plant quarantines. Mexican cotton, etc.	Foreign plant quarantines: For enforcement of foreign plant quarantines, at the port of entry and port of export, and to prevent the movement of cotton and cottonseed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles entering the United States from Mexico, \$680,000: <i>Provided</i> , That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.
Cleaning, etc.	
<i>Proviso.</i> Receipts covered into Treasury.	
Export inspection and certification.	Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, \$31,862: <i>Provided</i> , That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.
<i>Proviso.</i> Receipts covered into Treasury.	
Screw worm control.	Screwworm control: For the determination and application of such methods of control of screwworms as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with authorities of the States concerned, organizations, or individuals to accomplish such purposes; printing and binding; traveling expenses; research, education, and demonstration; purchase and transportation of materials; construction of treating pens and chutes and such other expenses as may be deemed necessary, \$75,000, to be immediately available: <i>Provided</i> , That the cooperating State, organization, or individual shall be responsible for the handling and treatment of livestock, including full labor costs: <i>Provided further</i> , That in the discretion of the Secretary of Agriculture, no part of this
<i>Provisos.</i> Responsibility in handling, etc., livestock. Local cooperation.	

appropriation shall be expended for control of screwworms in any State until such State or organization, or individuals therein, have made provision for cooperation satisfactory to him: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of animals, farm crops, or other property injured or destroyed.

Total, Bureau of Entomology and Plant Quarantine, \$5,711,398, of which amount not to exceed \$841,693 may be expended for personal services in the District of Columbia, and not to exceed \$35,125 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## BUREAU OF BIOLOGICAL SURVEY

### SALARIES AND EXPENSES

For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, including the purchase of bags, tags, and labels printed in the course of manufacture, traveling, and all other expenses necessary in conducting investigations and carrying out the work of the Bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

**General administrative expenses:** For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$110,000.

**Food habits of birds and animals:** For investigating the food habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals, \$68,140.

**Fur-resources investigations:** For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of animals the pelts of which are used commercially for fur, including the erection of necessary buildings and other structures, \$66,000.

**Biological investigations:** For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$30,738 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581d), and for investigations, experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and of musk oxen and mountain sheep in Alaska, including the erection of necessary buildings and other structures, \$171,149.

**Control of predatory animals and injurious rodents:** For investigations, demonstrations, and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals; and for construction, repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (U. S. C., Supp. II, title 16, sec. 667), \$612,000.

No payment for property destroyed, etc.

Services in the District.

Vehicles.

Biological Survey Bureau.

General expenses.

Salaries, supplies, etc.

General administrative expenses.

Food habits of birds and animals.

Fur-resources investigations.

Biological investigations.

45 Stat. 701.  
16 U. S. C. § 581d.  
Reindeer, musk oxen, etc., in Alaska.

Predatory, etc., animals, control.

Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.  
16 U. S. C., Supp. II, § 667.

Migratory bird protection.

40 Stat. 755; 49 Stat. 1556.

16 U. S. C. §§ 703-711; Supp. II, §§ 703-709a.

39 Stat. 1702.

Cooperation with local authorities.

35 Stat. 1137.

18 U. S. C. §§ 391-394.

Traffic in injurious, etc., birds.

49 Stat. 380.

18 U. S. C., Supp. II, §§ 392-394.

Carrying illegally-killed birds.

31 Stat. 187.

16 U. S. C. § 701.

Enforcing Alaska game law.

43 Stat. 739; 46 Stat. 1111.

48 U. S. C. §§ 192-211.

Mammal and bird reservations.

Taking eggs on bird-breeding grounds.

35 Stat. 1104; 43 Stat. 98.

18 U. S. C. § 145.

Prohibited acts; law enforcement.

45 Stat. 1224.

16 U. S. C. § 715i.

Long-horned cattle, Wichita Mountains Wildlife Refuge.

Migratory bird conservation refuges.

39 Stat. 1702.

45 Stat. 1222; 49 Stat. 381.

16 U. S. C. §§ 715-715r; Supp. II, §§ 715d-1-715e-1.

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the Migratory Bird Treaty Act of July 3, 1918 (U. S. C., title 16, secs. 703-711), as amended by the Act of June 20, 1936 (U. S. C., Supp. II, title 16, secs. 703-709a), to carry into effect the treaty with Great Britain for the protection of birds migrating between the United States and Canada (39 Stat., p. 1702), and the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals; for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith; for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (U. S. C., title 18, secs. 391-394), entitled "An Act to codify, revise, and amend the penal laws of the United States", as amended by title II of the Act approved June 15, 1935 (U. S. C., Supp. II, title 18, secs. 392-394), and for the enforcement of section 1 of the Act approved May 25, 1900 (U. S. C., title 16, sec. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws and for other purposes", including all necessary investigations in connection therewith, \$315,000.

Enforcement of Alaska game law: For the enforcement of the provisions of the Alaska game law, approved January 13, 1925, as amended by the Act of February 14, 1931 (U. S. C., title 48, secs. 192-211), \$130,798.

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range, the Upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita Mountains Wildlife Refuge, and other reservations, and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations; for the enforcement of section 84 of the Act approved March 4, 1909 (U. S. C., title 18, sec. 145), entitled "An Act to codify, revise, and amend the penal laws of the United States", and Acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (U. S. C., title 16, sec. 715i); for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$450,000.

Migratory bird conservation refuges: For carrying into effect the provisions of the Act entitled "An Act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain (39 Stat., pt. 2, p. 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929, as amended by title III of the Act approved June 15, 1935 (U. S. C., title 16, secs. 715-715r; U. S. C., Supp. II, title 16, secs. 715d-1, 715d-2, 715e, 715e-1), \$79,753, authorized by section 12 of the Act, which sum is a part of the remaining \$570,393 of the \$1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933.

Migratory bird conservation fund: For carrying into effect the provisions of section 4 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (U. S. C., title 16, secs. 718-718h), as amended by an Act entitled "An Act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935 (U. S. C., Supp. II, title 16, secs. 718a-718e), an amount equal to the sum received during the fiscal year 1938 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1937, of the total of the proceeds received from the sale of stamps prior to July 1, 1937: *Provided*, That the sum of \$125,000 shall be advanced from the general fund of the Treasury on the first day of the fiscal year to the foregoing appropriation, to be returned to the surplus fund of the Treasury when the first \$125,000 of revenue from the sale of stamps has been received and warranted for the fiscal year 1938.

Total, Bureau of Biological Survey, \$2,127,840, of which amount not to exceed \$547,070 may be expended for personal services in the District of Columbia, and not to exceed \$48,785, shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That the appropriation of \$6,000,000 contained in title VII of the Act of June 15, 1935 (U. S. C., Supp. II, title 16, sec. 715k-1), shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,200 thereof may be expended for the purchase of such vehicles, which said sum shall be immediately available for such purpose.

## BUREAU OF PUBLIC ROADS

For necessary expenses of the Bureau of Public Roads, including salaries and the employment of labor in the city of Washington and elsewhere, supplies, office and laboratory fixtures and apparatus, traveling, and other necessary expenses; for conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; and maintenance and repairs of experimental highways, including the purchase of materials and equipment; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat., pp. 355-359), as amended, or as otherwise provided.

Migratory bird conservation fund.  
48 Stat. 451.  
16 U. S. C. § 718.

49 Stat. 378.  
16 U. S. C., Supp. II, §§ 718a-718e.

Receipts from stamp sales.

Balance available.

*Proviso.*  
Advance; repayment.

Services in the District.

Vehicles for field work.

*Proviso.*  
Fund available for vehicles.  
49 Stat. 384.  
16 U. S. C., Supp. II, § 715k-1.

Public Roads Bureau.

Salaries and expenses.

Road making experiments, etc.

39 Stat. 355; 42 Stat. 212.  
23 U. S. C. §§ 1-25.

## FEDERAL-AID HIGHWAY SYSTEM

## Federal-aid highway system.

Cooperation with States in constructing rural post roads.

39 Stat. 355; 49 Stat. 1519.

23 U. S. C. §§ 1-25; Supp. II, ch. 1.

Amount immediately available.

48 Stat. 994.

*Provisos.*  
Convict labor.

Vehicles.

42 Stat. 217.  
23 U. S. C. §§ 21, 23.

Replacements.

Depreciation on engineering, etc., equipment.

Warehouse maintenance, etc.

Reimbursement for cost of material, etc.

Laboratory construction.  
42 Stat. 212.

46 Stat. 805; 49 Stat. 273, 1448.

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat., pp. 355-359), and all Acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$556,000 for departmental personal services in the District of Columbia, \$150,000,000, to be immediately available and to remain available until expended, which sum is composed of \$25,000,000, the remainder of the sum of \$125,000,000 authorized to be appropriated for the fiscal year 1936, by section 4 of the Act approved June 18, 1934 (48 Stat., p. 994), and \$125,000,000 authorized to be appropriated for the fiscal year 1937 by said section 4: *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed \$45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21 and 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: *Provided further*, That, during the fiscal year 1938, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1938 the appropriations for the work of the Bureau of Public Roads shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Public Roads, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That not to exceed \$450,000 from the administrative funds authorized by the Act approved November 9, 1921, and Acts amendatory thereof or supplementary thereto, in addition to the amount remaining available under the authorizations contained in the Agricultural Appropriation Acts approved May 27, 1930, May 17, 1935, and June 4, 1936, shall be available, in the total amount of \$1,360,000, for the construction (including the cost of a site already acquired) of a laboratory for permanent quarters for the testing and research work of the Bureau of Public Roads.

## FEDERAL-AID SECONDARY OR FEEDER ROADS

Federal-aid secondary or feeder roads.

For secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes, \$5,000,000, to remain available until expended, which sum is part of the \$25,000,000 authorized to be appropriated for the fiscal year 1938 by section 7 of the Act approved June 16, 1936 (49 Stat., p. 1521).

49 Stat. 1521.

## ELIMINATION OF GRADE CROSSINGS

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$10,000,000, to remain available until expended, which sum is part of the \$50,000,000 authorized to be appropriated for the fiscal year 1938 by section 8 of the Act approved June 16, 1936 (49 Stat., p. 1521).

Elimination of railroad grade crossings.

49 Stat. 1521.

## PUBLIC-LANDS HIGHWAYS

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (U. S. C., title 23, sec. 3), \$2,500,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1938 by section 3 of the Act approved June 16, 1936 (49 Stat., p. 1520): *Provided*, That the authorization of \$2,500,000 for the survey, construction, reconstruction, and maintenance of public-lands highways, made applicable to the fiscal year 1938 by the Agricultural Appropriation Act, fiscal year 1937, is hereby canceled.

Public-lands highways.

Construction, etc.

46 Stat. 805.  
23 U. S. C. § 3.

49 Stat. 1520.

*Proviso*,  
Authorization, 1938,  
canceled.  
49 Stat. 1448.

Total, Bureau of Public Roads, \$167,500,000.

## BUREAU OF AGRICULTURAL ENGINEERING

## SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$37,600.

Agricultural Engineering Bureau.

Salaries and expenses.

General administrative expenses.

Agricultural engineering investigations: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture, independently or in cooperation with Federal, State, county, or other public agencies or with farm bureaus, organizations, or individuals; for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; snow surveys and forecasts of irrigation water supplies, and the drainage of farms and of swamps and other wet lands which may be made available for agricultural purposes; for preparing plans for the removal of surplus water by drainage; for developing equipment for farm irrigation and drainage; for investigating and reporting upon farm domestic water supply and drainage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425); for giving expert advice and assistance in agricultural engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports; and for other necessary expenses, including travel, rent, repairs, and not to exceed \$5,000 for construction of buildings, \$423,169.

Agricultural engineering investigations.

Cotton ginning investigations.  
46 Stat. 248.  
7 U. S. C. §§ 424, 425.



Services in the District.

Vehicles.

Total, Bureau of Agricultural Engineering, \$460,769, of which amount not to exceed \$177,729 may be expended for personal services in the District of Columbia, and not to exceed \$3,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Agricultural Economics Bureau.

## BUREAU OF AGRICULTURAL ECONOMICS

### SALARIES AND EXPENSES

Salaries and expenses.

For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations as follows:

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$236,306.

Farm management and practice.

Farm management and practice: To investigate and encourage the adoption of improved methods of farm management and farm practice, and for ascertaining the cost of production of the principal staple agricultural products, \$376,580.

Marketing and distributing farm products.

Marketing and distributing farm products: For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, including scientific and technical research into American-grown cotton and its byproducts and their present and potential uses, including new and additional commercial and scientific uses for cotton and its byproducts, and including investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425), and for collecting and disseminating information on the adjustment of production to probable demand for the different farm and animal products, independently and in cooperation with other branches of the Department, State agencies, purchasing and consuming organizations, and persons engaged in the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, and for investigation of the economic costs of retail marketing of meat and meat products, \$808,650, of which \$35,000 shall be immediately available: *Provided*, That practical forms of the grades recommended or promulgated by the Secretary for wool and mohair may be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of miscellaneous receipts.

46 Stat. 248.  
7 U. S. C. §§ 424, 425.

Promotion of uniform standards.

Cotton and byproducts research.

*proviso.*  
Forms of wool and mohair grades to be sold.

Crop and livestock estimates.  
Collecting, etc., data.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, \$686,289: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton.

*proviso.*  
Restriction on expenditure.

Securing information as to foreign competition and demand.

Foreign competition and demand: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Depart-

ment of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved June 5, 1930 (U. S. C., title 7, secs. 541-545), and for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals and not to exceed \$1,000 for newspapers as may be necessary in connection with this work, \$298,000.

**Market inspection of farm products:** For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of businessmen or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, \$426,500.

**Tobacco Inspection Act:** To enable the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco inspection service, and for other purposes", approved August 23, 1935 (U. S. C., Supp. II, title 7, secs. 511-511q), \$275,000.

**Market news service:** For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, tobacco, cottonseed, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,077,000.

**Perishable Agricultural Commodities Act:** To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce" (U. S. C., title 7, secs. 499a-499r), \$143,890.

**Standard Container, Hamper, and Produce Agency Acts:** To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other

46 Stat. 497.  
7 U. S. C. §§ 541-545.  
Disseminating information to American producers, etc.

Market inspection of farm products.

Certifying condition of shipment.

*Provido.*  
Certificates as evidence.

Tobacco Inspection Act.

49 Stat. 731.  
7 U. S. C., Supp. II, §§ 511-511q.

Market news service.  
Collecting, publishing, etc.

Perishable Agricultural Commodities Act.

46 Stat. 531.  
7 U. S. C. §§ 499a-499r.

Standard Container, Hamper, and Produce Agency Acts.

39 Stat. 673; 45 Stat. 685; 49 Stat. 930.

15 U. S. C. §§ 251-256.

15 U. S. C. §§ 257-257i.

Antidumping Act.

44 Stat. 1355.

7 U. S. C. §§ 491-497.

Peanut statistics.

49 Stat. 1898.

7 U. S. C., Supp. II, §§ 951-957.

Tobacco stocks and standards, statistics.

45 Stat. 1079; 47 Stat. 662.

7 U. S. C. §§ 501-508.

Cotton statistics.

44 Stat. 1372.

7 U. S. C. §§ 471-476.

Cotton Futures Act.

39 Stat. 476; 40 Stat. 1351.

26 U. S. C. §§ 1090-1106.

Cotton Standards Act.

42 Stat. 1517.

7 U. S. C. §§ 51-65.

Effectuating agreements as to standards, etc., in foreign countries.

Grain Standards Act, enforcement.

39 Stat. 482.

7 U. S. C. §§ 71-87.

Warehouse Act, administration.

39 Stat. 486.

7 U. S. C. §§ 241-273.

containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916 (U. S. C., title 15, secs. 251-256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (U. S. C., title 15, secs. 257-257i), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (U. S. C., title 7, secs. 491-497), including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, \$30,238.

Peanut stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936 (U. S. C., Supp. II, title 7, secs. 951-957), \$10,000.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (U. S. C., title 7, secs. 501-508), including the employment of persons and means in the city of Washington and elsewhere, \$17,187.

Cotton grade and staple statistics: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (U. S. C., title 7, secs. 471-476), \$224,517.

United States Cotton Futures and United States Cotton Standards Acts: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (U. S. C., title 26, secs. 1090-1106), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923 (U. S. C., title 7, secs. 51-65), including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside the District of Columbia, that may be necessary in executing the provisions of these Acts, including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, \$501,900.

United States Grain Standards Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, including rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, \$723,941.

United States Warehouse Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, including the payment of such rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, \$326,700.

In all, salaries and expenses, \$6,162,698.

## WOOL MARKETING STUDIES

Not to exceed \$50,000 of the funds collected from persons, firms, or corporations which handled any part of the wool clip of 1918, which the Secretary of Agriculture finds it impracticable to distribute among woolgrowers, shall be deposited in the Treasury to the credit of a special fund which is hereby appropriated for the fiscal year 1938 for the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes", approved May 17, 1928 (U. S. C., title 7, secs. 415b-415d), including personal services and other necessary expenses in the District of Columbia and elsewhere.

Total, Bureau of Agricultural Economics, \$6,212,698, of which amount not to exceed \$2,223,469 may be expended for personal services in the District of Columbia, and not to exceed \$30,300 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Wool marketing studies.

Appropriation of certain funds.

Establishing wool standards.  
45 Stat. 593.  
7 U. S. C. §§ 415b-415d.

Services in the District.

Vehicles.

## BUREAU OF HOME ECONOMICS

## SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$31,735.

Home economics investigations: For conducting either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including travel and all other necessary expenses, \$213,350.

Total, Bureau of Home Economics, \$245,085, of which amount not to exceed \$223,280 may be expended for personal services in the District of Columbia.

Home Economics Bureau.

Salaries and expenses.

General administrative expenses.

Home economics investigations.

Services in the District.

## ENFORCEMENT OF THE COMMODITY EXCHANGE ACT

To enable the Secretary of Agriculture to carry into effect the provisions of the Grain Futures Act, approved September 21, 1922 (U. S. C., title 7, secs. 1-17), as amended by the Commodity Exchange Act of June 15, 1936 (U. S. C., Supp. II, title 7, secs. 1-17a), \$500,000, to be immediately available, of which amount not to exceed \$190,000 may be expended for personal services in the District of Columbia.

Commodity Exchange Act.

Enforcement expenses.  
42 Stat. 998; 49 Stat. 1491.  
7 U. S. C. §§ 1-17; Supp. II, §§ 1-17a.

Services in the District.

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside the District of Columbia for carrying out the investigations and work herein authorized, as follows:

Food and Drug Administration.

Salaries and expenses.

Items specified.

Outside rent.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, \$100,802.

Food and Drugs Act, enforcement.  
34 Stat. 768.  
21 U. S. C. §§ 1-15.

Enforcement of the Food and Drugs Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 30, 1906 (U. S. C., title 21, secs. 1-15), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", as amended; to cooperate with associations and scientific societies in the revision of the United States pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, \$1,750,000: *Provided*, That not more than \$4,280 shall be used for travel outside the United States.

Revision of Pharmacopoeia, etc.

Foreign tests of American food products.

*Proviso.*  
Travel restriction.

Tea Importation Act, enforcement.  
29 Stat. 604; 41 Stat. 712.  
21 U. S. C. §§ 41-50.

Enforcement of the Tea Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act approved March 2, 1897 (U. S. C., title 21, secs. 41-50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the board appointed under section 2 of the Act and all other necessary officers and employees, \$40,094.

Naval Stores Act.  
42 Stat. 1435.  
7 U. S. C. §§ 91-99.

Naval Stores Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (U. S. C., title 7, secs. 91-99), \$34,700.

Insecticide Act, enforcement.  
36 Stat. 331.  
7 U. S. C. §§ 121-134.

Enforcement of the Insecticide Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (U. S. C., title 7, secs. 121-134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", \$208,180.

Milk Importation Act, enforcement.  
44 Stat. 1101.  
21 U. S. C. §§ 141-149.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved February 15, 1927 (U. S. C., title 21, secs. 141-149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health", \$19,241.

Caustic Poison Act, enforcement.  
44 Stat. 1406.  
15 U. S. C. §§ 401-411.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved March 4, 1927 (U. S. C., title 15, secs. 401-411), entitled "An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", \$24,741.

Filled Milk Act, enforcement.  
42 Stat. 1486; 49 Stat. 885.  
21 U. S. C. §§ 61-63; Supp. II, § 64.

Enforcement of the Filled Milk Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to prohibit the shipment of filled milk in interstate or foreign commerce", approved March 4, 1923 (U. S. C., title 21, secs. 61-63), as amended by the Act of August 27, 1935 (U. S. C., Supp. II, title 21, sec. 64), \$10,000.

Sea Food Inspectors Act, enforcement.

Enforcement of the Sea Food Inspectors Act: For personal services of sea food inspectors designated to examine and inspect sea food and the production, packing, and labeling thereof upon the applica-

tion of any packer of any sea food for shipment or sale within the jurisdiction of the Federal Food and Drugs Act, in accordance with the provisions of an Act entitled "An Act to amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended", approved August 27, 1935 (U. S. C., Supp. II, title 21, sec. 14a), \$40,000.

Total, Food and Drug Administration, \$2,227,758, of which amount not to exceed \$636,112 may be expended for personal services in the District of Columbia, and not to exceed \$20,320 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## SOIL CONSERVATION SERVICE

### SALARIES AND EXPENSES

To carry out the provisions of an Act entitled "An Act to provide for the protection of land resources against soil erosion and for other purposes", approved April 27, 1935 (U. S. C., Supp. II, title 16, secs. 590a-590e), which provides for a national program of erosion control and soil and moisture conservation to be carried out directly and in cooperation with other agencies; including printing and binding, purchase of books and periodicals, rent in the District of Columbia, furnishing of subsistence to employees, training of employees, and the purchase and erection of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed \$2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for twenty buildings to be constructed at a cost not to exceed \$15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That during the fiscal year 1938 the appropriations for the work of the Soil Conservation Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Soil Conservation Service and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured from the appropriations chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That reproductions of such aerial or other photographs, mosaics, and maps as shall be required in connection with the authorized work of the Soil Conservation Service may be furnished at the cost of reproduction to Federal, State, county, or municipal agencies requesting such reproductions, the money received from such sales to be deposited in the Treasury to the credit of this appropriation; as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of the Soil Conservation Service and other personal services in the District of Columbia, \$675,000: *Provided*, That no part of the money appropriated in this paragraph shall be available for expenditure if any emergency or other appropriations are made available for administrative expenses in administering the funds provided in regular appropriations to the Soil Conservation Service.

34 Stat. 768.  
21 U. S. C. §§ 1-5,  
7-15.

49 Stat. 871.  
21 U. S. C., Supp.  
II, § 14a.

Services in the Dis-  
trict.

Vehicles.

Soil Conservation  
Service.

Salaries and ex-  
penses.  
49 Stat. 163.  
16 U. S. C., Supp.  
II, §§ 590a-590e.

Printing and bind-  
ing.

*Proviso.*  
Cost of buildings.

Construction on  
Government-owned  
land.  
Warehouse mainte-  
nance, etc.

Supplies.

Reproductions of  
photographs, etc.

General administra-  
tive expenses.

*Proviso.*  
Restriction.

Soil and moisture conservation and land-use investigations.

Soil and moisture conservation operations, etc.

Services in the District.

Vehicles.

Conservation and use of agricultural land resources.

Administrative expenses.  
49 Stat. 1148.  
16 U. S. C., Supp. II, §§ 590g-590q.  
Post, p. 761.

49 Stat. 774, 1151.  
7 U. S. C., Supp. II, § 612c.

Provisions.  
Designated funds available for administration.

Use restricted.

Amount available for 1938 programs.

Transfer of funds.

Purchase of seed, etc., and issuance to producers.

Soil and moisture conservation and land-use investigations: For research and investigations into the character, cause, extent, history, and effects of erosion and soil and moisture depletion and methods for soil and moisture conservation, including construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, and other necessary expenses, \$1,540,780.

Soil and moisture conservation operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture; including such special measures as may be necessary to prevent floods and the siltation of reservoirs, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, the dissemination of information, and other necessary expenses, \$22,175,000.

Total, Soil Conservation Service, \$24,390,780, of which not to exceed \$1,780,000 may be expended for personal services in the District of Columbia, and not to exceed \$100,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia and not to exceed \$850 for the purchase of one passenger-carrying vehicle for use in the District of Columbia.

## CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (U. S. C., Supp. II, title 16, secs. 590g-590q), including the employment of personal services and rent in the District of Columbia and elsewhere; printing and binding; purchase of law books, books of reference, periodicals, and newspapers; and other necessary expenses, \$340,000,000, together with not to exceed \$110,000,000 of the funds made available for the fiscal years 1937 and 1938 by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612c): *Provided*, That the unobligated funds made available for the fiscal year 1937 be first transferred, and not to exceed \$50,000,000 of the unexpended balance of the appropriation of \$100,000,000 provided under section 12 (a), title I, of the Agricultural Adjustment Act of May 12, 1933 (U. S. C., Supp. II, title 7, sec. 612), in all, not to exceed \$500,000,000, to remain available until June 30, 1939, for compliances under said Act of February 29, 1936, pursuant to the provisions of the 1937 programs carried out during the period November 1, 1936, to December 31, 1937, inclusive: *Provided*, That no part of such amount shall be available after June 30, 1938, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1938: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1938 programs or plans now or hereafter authorized under section 7 or 8, or both, of said Act: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secre-

tary of Agriculture in the 1937 programs, for the reimbursement of the Tennessee Valley Authority for fertilizers heretofore or hereafter furnished by it to the Secretary of Agriculture for such purpose, and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof: *Provided further*, That not to exceed \$5,000,000 of the funds appropriated under section 2 of the "Independent Offices Appropriation Act, 1937" is hereby made available, subject to the limitations prescribed therein, for compliances in the calendar year 1937 under the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, but obligations incurred hereunder with respect to such compliances shall not be included in applying the limitations on the amount of obligations which may be incurred for any calendar year contained in section 16 of said Soil Conservation and Domestic Allotment Act: *And provided further*, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612c), shall be available during the fiscal year 1938 for administrative expenses in such sums as the President may direct in carrying out the provisions of said section, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by Agricultural Adjustment Administration.

Tennessee Valley Authority, reimbursement.

49 Stat. 1183.  
Funds available for compliances, Soil Conservation, etc., Act.

49 Stat. 1148.  
Incurred obligations.

Encouraging foreign trade.  
49 Stat. 774.  
7 U. S. C., Supp. II, § 612c.

## INTERCHANGE OF APPROPRIATIONS

Not to exceed 10 per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget.

Interchange of appropriations.

*Proviso.*  
Statement to be included in Budget.

## MISCELLANEOUS

Miscellaneous.

### WORK FOR OTHER DEPARTMENTS

During the fiscal year 1938 the head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

Work for other Departments.

Transfer of funds for inspection, etc., of food, authorized.

### PASSENGER-CARRYING VEHICLES

Passenger vehicles.

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not pre-

Purchase of, from lump-sum appropriations, for field work.

*Proviso.*  
Use restricted.



vent the continued use for official service of motor trucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available to the Agricultural Adjustment Administration may be used during the fiscal year for which appropriations are herein made for the maintenance, repair, and operation of one passenger-carrying vehicle for official purposes in the District of Columbia.

Beltsville Research Center.

#### BELTSVILLE RESEARCH CENTER

General expenses.  
Additional funds.

For general administrative purposes, including maintenance, operation, repairs, and other expenses, \$75,000; and, in addition thereto, this appropriation may be augmented, by transfer of funds or by reimbursement, from applicable appropriations, to cover the cost, including handling and other related charges, of services and supplies, equipment and materials furnished, stores of which may be maintained at the Center, and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided*, That not to exceed \$600 may be expended from this appropriation for the purchase of one passenger-carrying automobile for official purposes.

*Proviso.*  
Purchase of automobile.

#### INTERNATIONAL PRODUCTION CONTROL COMMITTEES

International production control committees.  
Expenses.  
*Post*, p. 762.

During the fiscal year 1938 the Secretary of Agriculture may expend not to exceed \$7,500 from the funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee or like events or bodies concerned with the reduction of agricultural surpluses or other objectives of the Agricultural Adjustment Administration, together with traveling and all other necessary expenses relating thereto.

International Wheat Advisory Committee.

#### ELIMINATION OF DISEASED CATTLE, DEPARTMENT OF AGRICULTURE

Diseased cattle, elimination of.

Expenses.  
49 Stat. 775.  
7 U. S. C., Supp. II, § 612b.

Amount reappropriated.  
48 Stat. 805.

For carrying into effect the provisions of section 37 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612b), \$5,119,135, the unobligated balance of the \$21,364,000 made available under this head for the fiscal year 1937 by the Agricultural Appropriation Act for that year, and \$10,744,865 of the unobligated balance of the funds appropriated by Public Resolution Numbered 27, Seventy-third Congress (48 Stat., p. 805), and reappropriated by said section 37 of the Act approved August 24, 1935, are hereby made available as one fund for obligation during the fiscal year 1938 for the elimination of diseased dairy and beef cattle, including cattle suffering from tuberculosis or Bang's disease, for payments to owners with respect thereto, and for experimental-

Payment to owners.

tion, as authorized by said section 37, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, the purchase, maintenance, operation, and repair of passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and other necessary expenses: *Provided*, That \$2,000,000 of the amount herein reappropriated may be used only in those States which have made appropriations for indemnifying the owners of cattle reacting to the test for Bang's disease.

Printing and binding.

*Proviso.*  
State contributions.

#### FOREST ROADS AND TRAILS

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (U. S. C., title 23, sec. 23), including not to exceed \$115,260 for departmental personal services in the District of Columbia, \$12,500,000, which sum is composed of \$5,500,000, the balance of the amount authorized to be appropriated for the fiscal year 1937, by the Act approved June 18, 1934, and \$7,000,000, part of the sum of \$14,000,000 authorized to be appropriated for the fiscal year 1938 by the Act approved June 16, 1936, to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed \$7,500: *Provided further*, That for each of the fiscal years ending June 30, 1938, and June 30, 1939, the apportionment for forest highways in Alaska shall be \$350,000 and the remainder of the sums which otherwise would be apportioned and prorated to Alaska for said fiscal years shall be reapportioned in the same manner and on the same basis as provided in the second paragraph of section 23 (a) of the Federal Highway Act among those States whose forest highway apportionments for the fiscal years 1938 and 1939 otherwise would be less than 1 per centum of the entire apportionment for forest highways: *Provided further*, That there shall be available from this appropriation not to exceed \$10,000 for the acquisition of land by purchase, condemnation, gift, grant, dedication, or otherwise, and not to exceed \$150,000 for the acquisition by purchase or construction of buildings, for the storage and repair of Government equipment for use in the construction and maintenance of roads.

Forest highways.

Forest roads and trails.  
42 Stat. 218, 661.  
23 U. S. C. § 23.

48 Stat. 993.

*Provisos.*  
Availability of appropriation.

Forest highways in Alaska.  
Prorating of sums.

Acquisition of land.

Short title.

Title II—Farm Credit Administration.

## TITLE II—FARM CREDIT ADMINISTRATION

### SALARIES AND EXPENSES

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees including not to exceed \$5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; printing and binding; contingent and miscellaneous expenses, including law books, books of reference, and not to exceed \$750 for periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of

Salaries and expenses.

Travel expenses.

Printing and binding.

R. S. § 3709. 41 U. S. C. § 5.	manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration; employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous expenses; collection of moneys due the United States on account of loans made under the provisions of the Acts of March 3, 1921 (41 Stat., p. 1347), March 20, 1922 (42 Stat., p. 467), April 26, 1924 (43 Stat., p. 110), February 28, 1927 (44 Stat., p. 1251), February 25, 1929 (45 Stat., p. 1306), as amended May 17, 1929 (46 Stat., p. 3), March 3, 1930 (46 Stat., pp. 78, 79), December 20, 1930 (46 Stat., p. 1032), February 14, 1931 (46 Stat., p. 1160), and February 23, 1931 (46 Stat., p. 1276); January 22, 1932 (47 Stat., p. 5), February 4, 1933 (47 Stat., p. 795), March 4, 1933 (47 Stat., p. 1547), February 23, 1934 (48 Stat., p. 354), March 10, 1934 (48 Stat., p. 402), June 19, 1934 (48 Stat., p. 1021), February 20, 1935 (49 Stat., p. 28), March 21, 1935 (49 Stat., p. 49), April 8, 1935 (49 Stat., p. 115), and Executive Order Numbered 7305, dated February 28, 1936; examination of corporations, banks, associations, credit unions, and institutions operated, supervised, or regulated by the Farm Credit Administration: <i>Provided</i> , That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks, or institutions in accordance with the provisions of existing laws; in all, \$4,000,000, together with not to exceed \$2,950,000 from the funds made available under section 5 of the Emergency Crop Loan Act of February 23, 1934 (48 Stat., p. 354), Public Resolution Numbered 16, Seventy-third Congress, approved March 10, 1934 (48 Stat., p. 402) under the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat., pp. 1021, 1056), and under section 5 (a) of the Emergency Crop Loan Act of February 20, 1935 (49 Stat., p. 28).
Vehicles.	
Transportation and subsistence.	
Collection of loans under designated Acts.	
Examinations, etc.	
<i>Proviso.</i> Assessment for expenses.	
Additional funds.	
48 Stat. 355.	
48 Stat. 402, 1021, 1056.	
49 Stat. 29, 49.	
Federal Farm Mortgage Corporation.	
Administrative expenses. 48 Stat. 344.	
Travel expenses. 44 Stat. 688. 5 U. S. C. §§ 821-833.	
Printing and binding.	
Vehicles.	
Labor-saving devices.	

## FEDERAL FARM MORTGAGE CORPORATION

Not to exceed \$15,000,000 of the funds of the Federal Farm Mortgage Corporation, established by the Act of January 31, 1934 (48 Stat., p. 344), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses of officers and employees of the Corporation, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821-833); printing and binding; law books, books of reference, and not to exceed \$250 for periodicals and newspapers; contract stenographic reporting services; procurement of supplies, equipment, and services; purchase (at not to exceed \$750 each), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia

and elsewhere; payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Corporation; employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services; use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by said Act of January 31, 1934; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Corporation shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed and paid, in accordance with the provisions of said Act of January 31, 1934, as amended (U. S. C., title 12, secs. 1016–1020 (h)).

This title may be cited as the "Farm Credit Administration Appropriation Act of 1938".

Approved, June 29, 1937.

#### [CHAPTER 405]

#### AN ACT

To levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### DEFINITIONS

SECTION 1. That as used in this Act—

(a) The term "employer" means any carrier (as defined in subsection (i) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however*, That the term "employer" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Commissioner of Internal Revenue, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term "employer" shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus,

Special services.

48 Stat. 344.

*Proriso.*  
Necessary expenditures considered non-administrative expenses.

Incurring, etc., obligations.

48 Stat. 344.  
12 U. S. C. §§ 1016–1020h.

Short title.

June 29, 1937  
[H. R. 7589]

[Public, No. 174]

Carriers Taxing Act of 1937.

Definitions.

"Employer."

*Proriso.*  
Street, etc., electric railways excluded.

Line operated by electric power.

Inclusive of designated associations, bureaus, agencies, etc.

weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transportation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and National legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

"Employee."

*Proviso.*  
Status of local lodge employee, etc.

Relationship, if on furlough, etc.

Persons not deemed in employment relationship.

"Employee representative."

Persons deemed in service of employer.

*Proviso.*  
Employer not conducting principal business in United States.

"Compensation."

Tips, etc., not included.

Tax return.

"United States."

(b) The term "employee" means any person in the service of one or more employers for compensation: *Provided, however,* That the term "employee" shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after August 29, 1935. An individual is in the employment relation to a carrier if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the carrier: *Provided further,* That an individual shall not be deemed to have been on August 29, 1935, in the employment relation to a carrier not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to said date, he rendered service to it in the United States.

(c) The term "employee representative" means any officer or official representative of a railway labor organization other than a labor organization included in the term "employer" as defined in section 1 (a), who before or after the enactment hereof was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

(d) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided, however,* That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

(e) The term "compensation" means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of the tax imposed on such employee by section 2 of this Act. Compensation which is earned during the period for which the Commissioner of Internal Revenue shall require a return of taxes hereunder to be made and which is payable during the calendar month following such period shall be deemed to have been paid during such period only.

(f) The term "United States" when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia.

(g) The term "company" includes corporations, associations, and joint-stock companies.

"Company."

(h) The term "employee" includes an officer of an employer.

"Employee" to include officer, etc.  
"Carrier."

(i) The term "carrier" means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act.

(j) The term "person" means an individual, a partnership, an association, a joint-stock company, or a corporation.

"Person."

#### INCOME TAX ON EMPLOYEES

SEC. 2. (a) In addition to other taxes, there shall be levied, collected, and paid upon the income of every employee a tax equal to the following percentages of so much of the compensation of such employee as is not in excess of \$300 for any calendar month, earned by him after December 31, 1936—

Income tax on employees.

Additional to other taxes.

1. With respect to compensation earned during the calendar years 1937, 1938, and 1939, the rate shall be  $2\frac{3}{4}$  per centum;

Rates.

2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 3 per centum;

3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be  $3\frac{1}{4}$  per centum;

4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be  $3\frac{1}{2}$  per centum;

5. With respect to compensation earned after December 31, 1948, the rate shall be  $3\frac{3}{4}$  per centum;

(b) The tax imposed by this section shall be collected by the employer of the taxpayer by deducting the amount of the tax from the compensation of the employee as and when paid. If an employee is paid compensation by more than one employer with respect to any calendar month, then, under regulations made under this Act, the Commissioner of Internal Revenue may prescribe the proportion of the tax to be deducted by each employer from the compensation paid by him to the employee with respect to such month. Every employer required under this subsection to deduct the tax is hereby made liable for the payment of such tax and shall not be liable to any person for the amount of any such payment.

Collection by employer.

Compensation paid by more than one employer.

Liability for payment.

(c) If more or less than the correct amount of tax imposed by this section is paid with respect to any compensation payment, then, under regulations made under this Act by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in connection with subsequent compensation payments to the same employee by the same employer.

Adjustments.

#### EXCISE TAX ON EMPLOYERS

SEC. 3. (a) In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of so much of the compensation as is not in excess of \$300 for any calendar month paid by him to any employee for services rendered to him after December 31, 1936: *Provided, however,* That if an employee is paid compensation by more than one employer with respect to any such calendar month, the tax imposed by this section shall apply to not more than \$300 of the aggregate compensation paid to said employee by all said employers with respect to such calendar month, and each such employer shall be liable for that proportion of the tax with respect to such compensation which his payment to the employee with respect to such cal-

Excise tax on employers.

Additional to other taxes.

*Proviso.*  
Compensation paid by more than one employer.

Liability for payment.

endar month bears to the aggregate compensation paid to such employee by all employers with respect to such calendar month:

Rates.

1. With respect to compensation paid to employees for services rendered during the calendar years 1937, 1938, and 1939, the rate shall be  $2\frac{3}{4}$  per centum;

2. With respect to compensation paid to employees for services rendered during the calendar years 1940, 1941, and 1942, the rate shall be 3 per centum;

3. With respect to compensation paid to employees for services rendered during the calendar years 1943, 1944, and 1945, the rate shall be  $3\frac{1}{4}$  per centum;

4. With respect to compensation paid to employees for services rendered during the calendar years 1946, 1947, and 1948, the rate shall be  $3\frac{1}{2}$  per centum;

5. With respect to compensation paid to employees for services rendered after December 31, 1948, the rate shall be  $3\frac{3}{4}$  per centum.

Adjustments.

(b) If more or less than the correct amount of the tax imposed by this section is paid with respect to any compensation payment, then, under regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments with respect to the tax shall be made, without interest, in connection with subsequent excise-tax payments made by the same employer.

#### REFUNDS AND DEFICIENCIES

Refunds and deficiencies.

SEC. 4. If more or less than the correct amount of the tax imposed by section 2 (a) or 3 (a) of this Act is paid or deducted with respect to any compensation payment and the overpayment or underpayment of the tax cannot be adjusted under section 2 (c) or 3 (b), the amount of the overpayment shall be refunded, or the amount of the underpayment shall be collected in such manner and at such times (subject to the statute of limitations properly applicable thereto) as may be prescribed by regulations under this Act as made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

Rules governing.

Income tax on employee representatives.

#### INCOME TAX ON EMPLOYEE REPRESENTATIVES

Additional to other taxes.

SEC. 5. In addition to other taxes, there shall be levied, collected, and paid upon the income of each employee representative a tax equal to the following percentages of so much of the compensation of such employee representative as is not in excess of \$300 for any calendar month, earned by him after December 31, 1936:

Rates.

1. With respect to compensation earned during the calendar years 1937, 1938, and 1939, the rate shall be  $5\frac{1}{2}$  per centum;

2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 6 per centum;

3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be  $6\frac{1}{2}$  per centum;

4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be 7 per centum;

5. With respect to compensation earned after December 31, 1948, the rate shall be  $7\frac{1}{2}$  per centum.

Determination of compensation.

The compensation of an employee representative for the purpose of ascertaining the tax thereon shall be determined in the same manner and with the same effect as if the employee organization by which such employee representative is employed were an employer as defined in section 1 (a) of this Act.

## DEDUCTIBILITY FROM INCOME TAX

SEC. 6. For the purposes of the income tax imposed by title I of the Revenue Act of 1936 or by any Act of Congress in substitution therefor, the taxes imposed by sections 2 and 5 of this Act shall not be allowed as a deduction to the taxpayer in computing his net income.

Deductibility from income tax.

Restrictions.  
49 Stat. 1652.  
*Ante*, pp. 437, 438.

## COLLECTION AND PAYMENT OF TAXES

SEC. 7. (a) The taxes imposed by this Act shall be collected by the Bureau of Internal Revenue and shall be paid into the Treasury of the United States as internal-revenue collections.

Collection and payment of taxes.

(b) The taxes imposed by this Act shall be collected and paid quarterly or at such other times and in such manner and under such conditions not inconsistent with this Act as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. If a tax imposed by this Act is not paid when due, there shall be added as part of the tax (except in the case of adjustments made in accordance with the provisions of this Act) interest at the rate of 6 per centum per annum from the date the tax became due until paid.

Procedure.

Interest charge on defaulted payment.

(c) All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, insofar as applicable and not inconsistent with the provisions of this Act, shall be applicable with respect to the taxes imposed by this Act.

Provisions of law applicable.  
44 Stat. 93, 99; 48 Stat. 768.

(d) In the payment of any tax under this Act, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Fraction of cent.

(e) Any tax paid under this Act by a taxpayer with respect to any period with respect to which he is not liable to tax under this Act shall be credited against the tax, if any, imposed by title VIII of the Social Security Act upon such taxpayer, and the balance, if any, shall be refunded. Any tax paid under title VIII of the Social Security Act by a taxpayer with respect to any period with respect to which he is not liable to tax under such title VIII shall be credited against the tax, if any, imposed by this Act upon such taxpayer, and the balance, if any, shall be refunded.

Adjustments.

49 Stat. 636.

## COURT JURISDICTION

SEC. 8. The several district courts of the United States and the District Court of the United States for the District of Columbia, respectively, shall have jurisdiction to entertain an application by the Attorney General on behalf of the Commissioner of Internal Revenue to compel an employee or other person residing within the jurisdiction of the court or an employer subject to service of process within its jurisdiction to comply with any obligations imposed on such employee, employer, or other person under the provisions of this Act. The jurisdiction herein specifically conferred upon such Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act.

Court jurisdiction in connection with enforcement of obligations imposed.

## SOCIAL SECURITY ACT

SEC. 9. (a) The term "employment", as defined in subsection (b) of section 811 of title VIII of the Social Security Act, shall not

Social Security Act.

"Employment" as defined in.  
49 Stat. 639.



include service performed by an individual as an employee as defined in section 1 (b) or service performed as an employee representative as defined in section 1 (c).

Periodical estimates of reduction in tax collections.

(b) The Secretary of the Treasury at intervals of not longer than three years shall estimate the reduction in the amount of taxes collected under title VIII of the Social Security Act by reason of the operation of subsection (a) of this section and shall include such estimate in his annual report.

#### SEPARABILITY

Separability provisions.

SEC. 10. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

#### REPEAL OF PRIOR TAX ACT

Repeal of prior tax Act.  
49 Stat. 974.

Moneys due under repealed Act and not heretofore paid.

Deductions by employers from employees' pay for taxes; repayments.

SEC. 11. The provisions of this Act are in substitution for the provisions of the Act of August 29, 1935, as amended, entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", which is hereby repealed. All moneys payable as and for taxes under such Act of August 29, 1935, and not heretofore paid shall cease to be payable and all proceedings pending for the recovery of any such moneys shall be terminated. All sums paid into the Treasury of the United States as and for taxes under such Act shall be refunded, except so much of the sums so paid as and for taxes with respect to compensation earned after December 31, 1936, as equals the taxes imposed by this Act with respect to the same persons and the same period, and the sums not required to be so refunded shall be retained in the Treasury of the United States and credited on taxes due and payable under this Act. All sums deducted by employers from the compensation of employees as and for taxes under such Act of August 29, 1935, which have not been paid into the Treasury of the United States shall be repaid by such employers to such employees, except so much of the sums so deducted as and for taxes in respect of compensation earned after December 31, 1936, as equals the taxes imposed and required to be deducted by this Act with respect to the same persons and the same period, and the sums not required to be so repaid shall be paid into the Treasury of the United States and thereupon shall be credited on taxes due and payable under this Act. No interest shall be allowed or paid with respect to any sum refunded, credited, or repaid under the provisions of this section.

#### RULES AND REGULATIONS

Rules and regulations.

SEC. 12. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make and publish such rules and regulations as may be necessary for the enforcement of this Act.

#### SHORT TITLE

Short title.

SEC. 13. This Act may be cited as the "Carriers Taxing Act of 1937".

Approved, June 29, 1937.

## [CHAPTER 406]

## AN ACT

To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484), and for other purposes.

June 29, 1937

[H. R. 7328]

[Public, No. 175]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an appropriation is hereby authorized in the sum of \$79,038 to pay various Sioux Indians of the Pine Ridge Reservation, South Dakota, the amounts which have been awarded to them by the Secretary of the Interior under the Act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided,* That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of their services, not to exceed 10 per centum of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by the attorney or attorneys to the claimants in such claim.

Sioux Indians of  
Pine Ridge Reserva-  
tion, S. Dak.  
Payment to.  
Post, p. 763.

45 Stat. 484.

*Proviso.*  
Attorneys' fees.

Approved, June 29, 1937.

## [CHAPTER 407]

## JOINT RESOLUTION

To provide that the United States extend to foreign governments invitations to participate in the International Congress of Architects to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

June 29, 1937

[S. J. Res. 111]

[Pub. Res., No. 49]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and is hereby, authorized and requested to invite foreign governments to participate in the International Congress of Architects to be held in the United States during the calendar year 1939.

International Cong-  
ress of Architects.  
President requested  
to invite participation  
by foreign govern-  
ments.

SEC. 2. That the sum of \$20,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the Fifteenth International Congress of Architects, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, for the fiscal year 1939.

Appropriation au-  
thorized for holding  
Fifteenth Congress in  
the United States.  
Services in the Dis-  
trict.

R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of  
other appropriations.

Approved, June 29, 1937.

## [CHAPTER 423]

## AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes.

July 1, 1937

[H. R. 6692]  
[Public, No. 176]

Military Appropriation Act, 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes, namely:

## SALARIES, WAR DEPARTMENT

War Department, salaries.

Services in the District of Columbia.

Secretary, Assistant, and other personal services.

*Proviso.*  
Use of field-service funds restricted.

Designated offices.

World War personnel records.

For compensation for personal services in the District of Columbia, as follows:

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, \$270,300: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Office of Chief of Staff, \$228,600.

Adjutant General's office, \$1,378,230.

For personal services, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, \$90,000.

Office of the Inspector General, \$27,220.

Office of the Judge Advocate General, \$109,410.

Office of the Chief of Finance, \$387,100.

Office of the Quartermaster General, \$778,600.

Office of the Chief Signal Officer, \$133,500.

Office of the Chief of Air Corps, \$232,860.

Office of the Surgeon General, \$275,290.

Office of Chief of Bureau of Insular Affairs, \$66,400.

*Provisos.*  
Draftsmen, etc., payable from other appropriations.

Office of Chief of Engineers, \$131,300: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1938 shall not exceed \$413,840; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Maximum expenditures, 1938.  
Report to Congress.

Chief of Ordnance.  
*Provisos.*  
Technical, etc., services.

Maximum expenditures.

Office of Chief of Ordnance, \$424,160: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the office of the Chief of Ordnance, to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1938 shall not exceed \$54,860, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of Chief of Chemical Warfare Service, \$50,337.

Office of Chief of Coast Artillery, \$28,160.

National Guard Bureau, War Department, \$150,700.

In all, salaries, War Department, \$4,762,167: *Provided*, That the number of warrant officers and enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, Infantry, and Chaplains on March 5, 1934, shall not be increased, and in lieu of warrant officers and enlisted men whose services in such offices shall be terminated for any cause prior to July 1, 1938, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, the appropriation "Pay of the Army" shall be available.

In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

*Proviso.*  
Details not to be increased.

Civilians to fill vacancies.  
5 U. S. C. §§ 661-674.  
Post, p. 445.  
Funds available.

Restriction on exceeding average salaries.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Exception.

*Proviso.*  
Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

## OFFICE OF THE SECRETARY

### CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; purchase of an automobile for the official use of the Secretary of War at not to exceed \$2,500, including the value of a vehicle exchanged; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares; postage to Postal Union countries; and other absolutely necessary expenses, \$253,000, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph.

Department contingent expenses.

Surgeon General's  
office.

#### LIBRARY, SURGEON GENERAL'S OFFICE

Library expenses.

For the purchase of the necessary books of reference, periodicals, and technical supplies and equipment, \$25,000.

Army Medical Mu-  
seum.

#### ARMY MEDICAL MUSEUM

Preservation of spec-  
imens, etc.

For the procurement, preparation, and preservation of specimens and the purchase of technical supplies and equipment, \$10,000.

#### PRINTING AND BINDING, WAR DEPARTMENT

Printing and bind-  
ing.

For printing and binding for the War Department, its bureaus and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, \$500,000: *Provided*, That the sum of \$3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding \$68,200 shall be available for printing and binding under the direction of the Chief of Engineers.

*Proviso.*  
Medical bulletins.

Amount for Chief of  
Engineers.

Military activities.

#### MILITARY ACTIVITIES

##### CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, \$17,500.

General Staff Corps.

#### GENERAL STAFF CORPS

Military Intelli-  
gence Division.

##### CONTINGENCIES, MILITARY INTELLIGENCE DIVISION

Contingent ex-  
penses.

For contingent expenses of the Military Intelligence Division, General Staff Corps, and maintenance of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including not to exceed \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$89,450, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Observing opera-  
tions of foreign armies.

*Proviso.*  
Conditions waived.  
R. S. § 3648.  
31 U. S. C. § 529.

## FIELD EXERCISES

For all expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, comprising allowances for enlisted men for quarters and rations, movement of matériel, maintenance, and operation of structures and utilities, and any other requisite supplies and services, and for settlement of claims (not exceeding \$500 each) for damages to or loss of private property resulting from such exercises that have accrued or may hereafter accrue, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and each claim is substantiated by a report of a board of officers appointed by the commanding officer of the troops engaged, and is approved by the Secretary of War, whose action thereon shall be conclusive, \$313,620.

Field exercises; participation by National Guard, etc.

Supplies and services.  
Private property damage claims.

## ARMY WAR COLLEGE

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lectures; for the pay of employees; and for all other absolutely necessary expenses, \$67,157.

Army War College.

Instruction expenses.

## ADJUTANT GENERAL'S DEPARTMENT

## COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, \$36,680.

Adjutant General's Department.

Command and General Staff School, Fort Leavenworth, Kans.

## WELFARE OF ENLISTED MEN

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, \$34,940.

Welfare of enlisted men.

Equipment and conduct of clubs, libraries, etc.

## FINANCE DEPARTMENT

## PAY, AND SO FORTH, OF THE ARMY

For pay of not to exceed an average of twelve thousand three hundred and fifty commissioned officers, \$34,532,895: *Provided*, That on and after July 1, 1937, there shall be authorized one thousand and eighty-three officers of the Medical Corps and two hundred and eight officers of the Dental Corps, notwithstanding the provisions of the Act of June 30, 1922 (42 Stat. 721), and the authorized commissioned strength of the Army is hereby increased by seventy-five in order to provide for the increase herein authorized in the number of officers in the Medical Corps and the Dental Corps; pay of officers, National Guard, \$100; pay of warrant officers, \$1,371,836;

Finance Department.

Pay, etc., of the Army.  
Officers.

*Provisos.*  
Commissioned strength increased.

42 Stat. 721.

National Guard.

Aviation increase. Flights by nonflying officers.  Longevity. Enlisted men.  National Guard. Aviation increase. Philippine Scouts. Longevity. Retired officers, etc.  Civil-service messengers at headquarters.  Contract surgeons, nurses, etc. Rent, subsistence, etc.  Loss by exchange.  Accounted for as one fund. <i>Provided.</i> No allowance to officers owning mounts. 35 Stat. 108. 10 U. S. C. § 803. Citizenship requirements. <i>Post</i> , p. 696.  No pay beyond enlistment period, etc.  Language instruction.  Receipts of public moneys, use of.  Pay forbidden to a retired officer selling supplies to Army.	aviation increase to commissioned and warrant officers of the Army, including not to exceed five medical officers, \$2,270,900, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, \$9,610,595; pay of an average of one hundred and sixty-five thousand enlisted men of the line and staff, not including the Philippine Scouts, \$67,042,594; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$574,798; pay of enlisted men of the Philippine Scouts, \$1,050,447; additional pay for length of service to enlisted men, \$5,170,468; pay of the officers on the retired list, \$12,999,525; increased pay to not to exceed twelve retired officers on active duty, \$14,831; pay of retired enlisted men, \$13,521,730; pay not to exceed sixty civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$72,000; pay and allowances of contract surgeons, \$46,320; pay of nurses, \$933,340; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,386,560; subsistence allowances, \$6,181,985; interest on soldiers' deposits, \$45,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$161,826,124; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: <i>Provided</i> , That during the fiscal year ending June 30, 1938, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (U. S. C., title 10, sec. 803): <i>Provided further</i> , That no part of this or any other appropriation contained in this Act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status under appropriations carried in this Act on July 1, 1937, nor for the pay of any such person beyond the period of enlistment or termination of employment, but nothing herein shall be construed as applying to instructors of foreign languages at the Military Academy, or to Filipinos in the Army Transport Service, or to persons employed outside of the continental limits of the United States except enlisted men of the Regular Army, other than Philippine Scouts, upon expiration of enlistment: <i>Provided further</i> , That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary book-keeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts. No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.
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No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Engaging in issuing certain service publications.

*Proviso.*  
Exemption.

#### TRAVEL OF THE ARMY

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military and nonmilitary activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, dependents of military personnel, and attendants accompanying remains of military personnel and civilian employees; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, civilian witnesses before courts martial, and attendants accompanying remains of military personnel and civilian employees, \$2,463,350, which may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations contained in this Act of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$2,500 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attend-

Travel allowances, etc.

Recruiting expenses.

Commutation of quarters, rations, etc.

Civilians.

Increases, by transfers, allowed.

Restriction.

*Proviso.*  
Travel allowance, expert accountant.

Attendance at meetings, etc.  
39 Stat. 199.  
32 U. S. C. § 22.



"Travel of the Army" to include dependents.

ance would be of benefit in the conduct of the work of the War Department: *Provided further*, That the appropriation "Travel of the Army" current at the date of relief from duty station of personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriation in connection with the travel enjoined, including travel expenses of dependents, regardless of the dates of arrival at destination of the persons so traveling.

#### EXPENSES OF COURTS MARTIAL

Courts martial, expenses.

For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$40,000.

Deserters, etc.

#### APPREHENSION OF DESERTERS, AND SO FORTH

Apprehension of.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, \$20,000.

Finance Service.

#### FINANCE SERVICE

Clerks, etc.

For compensation of clerks and other employees of the Finance Department, including not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), \$1,155,890.

46 Stat. 818.  
5 U. S. C. § 118a.

Private property damages.

#### CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

Payment of claims.

For payment of claims, including claims of military and civilian personnel in and under the War Department, not exceeding \$500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, \$10,000: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

*Proviso.*  
Settlement by General Accounting Office.

Destruction of private property of officers, etc.

#### CLAIMS OF OFFICERS, ENLISTED MEN, AND NURSES OF THE ARMY FOR DESTRUCTION OF PRIVATE PROPERTY

Payment of claims.

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an Act approved March 4, 1921 (U. S. C., title 31, secs. 218–222), \$25,000.

41 Stat. 1436.  
31 U. S. C. §§ 218–222.

Quartermaster Corps.

#### QUARTERMASTER CORPS

Subsistence of the Army.  
Purchase of supplies for issue as rations.

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital

matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$29,329,150: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for equipment and furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor

Army Transport  
Service.

Sales to officers, etc.

Commutation al-  
lowance.

Prizes, etc.

Subsistence sup-  
plies.

*Proviso.*  
Butter substitutes,  
restriction.

Regular supplies of  
the Army.  
Field cooking appli-  
ances, etc.

Furniture, school  
supplies, etc.

Periodicals, techni-  
cal books, etc.

Forage, etc.

Seeds and imple-  
ments.

Bedding, stationery, etc.	for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$3,326,650, including not to exceed \$5,000 for the procurement without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), of portable stoves or ranges for experimental purposes and tests.
R. S. § 3709. 41 U. S. C. § 5.	
Clothing and equipage. Purchase, manufacture, etc.	Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$11,901,320, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1938, and not exceeding \$50,000 shall be available exclusively for increasing the compensation of employees in laundries and dry-cleaning establishments whose compensation on June 30, 1937, is at a rate of \$600 per annum or less or \$1 per diem or less: <i>Provided</i> , That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount not less than \$50,000 below the cost of maintaining and operating laundries and drycleaning plants.
Laundries, etc.	
Repair shops.	
Toilet kits.	
Citizen's outer clothing.	
Indemnity for destroyed clothing, etc.	
Fuel.	
<i>Proviso.</i> Laundry charges.	
Incidental expenses.	Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930 (U. S. C., title 5, sec. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for the operation of coffee-roasting plants; for the payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau
Living quarters.	
46 Stat. 818. 5 U. S. C. § 118a.	
Recruiting.	
Rifle competition, fees. Tests, etc.	

of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, \$3,577,950.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed \$282,700, alteration, operation, and repair of boats and other vessels: *Provided*, That the amount authorized for the purchase or construction of vessels in the appropriation for "Army transportation", contained in the War Department Appropriation Act, fiscal year 1937, is hereby increased from \$786,000 to \$829,520; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March 2, 1901 (U. S. C., title 10, sec. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922 (U. S. C., title 10, sec. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, \$12,580,000, of which amount not exceeding \$250,000 for the procurement and transportation of fuel for the service of the fiscal year 1938, and not exceeding \$1,000,000 for the procurement of motor vehicles, shall be available immediately: *Provided*, That not to exceed \$225,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed \$750 for light automobiles and \$1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed \$151,000 may be expended for the purchase or exchange of motor-propelled ambulances and motorcycles: *Provided further*, That no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks, tractors, ambulances, fire trucks, searchlight trucks, three hundred and ninety modernized Class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1938 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

#### HORSES, DRAFT AND PACK ANIMALS

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the

Inspection service, etc.

Operation expenses.

Army transportation.  
Supplies.

Privately owned automobiles.

Boats, etc.

*Provisos.*  
Amount for purchase or construction increased.  
49 Stat. 1287.

Vehicles.

Travel allowances,  
National Guard.

31 Stat. 902.  
10 U. S. C. § 751.

42 Stat. 1021.  
10 U. S. C. § 752.

Fuel.

Motor vehicles, etc.

Ambulances and motorcycles.

Not available for designated vehicles, except for salvaging.

Exceptions.

Transportation costs, supplies, equipment, etc.

Horses, draft and pack animals.

Purchase.

Encouraging breeding of riding horses.

United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$72,150 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$531,000.

Military posts.

MILITARY POSTS

Construction, maintenance, etc.

R. S. §§ 1136, 3734.  
10 U. S. C. § 1339;  
40 U. S. C. § 267.

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (U. S. C., title 10, sec. 1339; title 40, sec. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; to remain available until expended and to be applied as follows: For work authorized by the Act approved May 6, 1937, at Fort Niagara, New York, \$54,000; for work authorized by the Act approved May 14, 1937, at Camp Stanley, Texas, \$578,050; for work authorized by the Act of August 12, 1935 (49 Stat. 610-611): At Bolling Field, District of Columbia, \$740,000; at Northwestern air base, Washington, \$625,000; at Albrook Field, Panama Canal Zone, \$717,000; at Hickam Field, Hawaii, \$3,250,000; at Air Corps depot, Sacramento, California, \$3,000,000; at Langley Field, Virginia, \$338,000; and at Barksdale Field, Louisiana, \$80,000; in all, \$9,388,050.

R. S. § 3709.  
41 U. S. C. § 5.

Technical, etc., services.

Public works.  
Fort Niagara, N. Y.  
*Ante*, p. 128.  
Camp Stanley, Tex.  
*Ante*, p. 166.  
Bolling Field, D. C.,  
etc.  
49 Stat. 610.

Acquisition of land.

ACQUISITION OF LAND

Mitchel Field, N. Y.  
49 Stat. 610.

*Proviso.*  
Additional land.

For the acquisition of land, as authorized by the Act of August 12, 1935 (49 Stat. 610): Vicinity of Mitchel Field, New York, three hundred and forty-two acres, more or less, to be used exclusively for runways, \$500,000: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of the above land in the vicinity of Mitchel Field to an additional amount not in excess of \$1,020,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof; vicinity of Kelly Field, Texas, \$2,000; vicinity of Tacoma, Washington, to be available immediately, \$60,000; and for the acquisition of all privately owned land and rights within the boundaries of the area in San Bernardino and Kern Counties, California, reserved and set aside for the use of the War Department as a bombing and gunnery range by Executive Order Numbered 6588, dated February 6, 1934, and, in addition, all privately owned land and rights within an area of approximately fifty-nine thousand one hundred and sixty-three acres of land adjacent to the tract described in such Executive order, located in San Bernardino, Kern, and Los Angeles Counties, California, \$390,000; in all \$952,000.

Kelly Field, Tex.,  
etc.  
Bombing and gunnery range.

West Point, N. Y.  
Additional land.  
46 Stat. 1491; 49  
Stat. 1289.

For the acquisition of land in the vicinity of West Point, New York, as authorized by the Act approved March 3, 1931 (46 Stat. 1491), \$431,000, and such sum, in conjunction with the appropriation

of \$431,000 for a like purpose contained in the War Department Appropriation Act for the fiscal year 1937, without regard to the proviso attached to such former appropriation, shall be available until June 30, 1939: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of land in the vicinity of West Point, as authorized by such Act of March 3, 1931, to an additional amount not in excess of \$638,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof: *Provided further*, That authorization is hereby repealed to acquire any land east of the west boundary of the Highway 9-W, or east of the west boundary of the Highway 9-W as it may be relocated by the State of New York prior to the acquisition of any land west of the present west boundary of such Highway 9-W.

Availability.  
*Provisos.*  
Additional sum for acquisition of land.

Authorization modified.

#### BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed \$900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902 (U. S. C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, \$13,468,500, of which not to exceed \$2,500,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal

Barracks, quarters, etc.

Construction, maintenance, etc.

Rentals.

Water, roads, etc.

Target practice, etc.

Warehouse and fuel handling equipment.

Stoves and cooking appliances.

Heat, light, etc.

Recreation buildings.  
32 Stat. 262.  
10 U. S. C. § 1346.

Fuel.

*Provisions.*  
Fort Monroe, Va.,  
wharf, etc.  
28 Stat. 212.

Moffett Field, Sun-  
nyvale, Calif.  
Funds transferred.  
49 Stat. 1288, 1290.

Rentals for military  
attachés.

Construction re-  
stricted.

Stabling rental.

Hospitals.

Construction, re-  
pair, etc.

Temporary hospi-  
tals, etc.

Signal Corps.

Signal Service.

Telegraph and tele-  
phone systems.  
Purchase, opera-  
tion, etc.

Exceptions.

year 1938: *Provided*, That the amounts to be assessed and collected by the Secretary of War for expenditure for maintenance purposes at Fort Monroe, Virginia, under the provisions of the Act of August 1, 1894 (28 Stat. 212), shall be \$13,520 for wharf and \$5,053 for roads and sewerage system: *Provided further*, That there is hereby transferred to the appropriation "Barracks and quarters, 1937", the sum of \$112,000 from the appropriation "Air Corps, Army, 1937", to be applied to the installation of a water-supply system for Moffett Field, Sunnyvale, California, which amount shall remain available until June 30, 1938: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15.

#### CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, \$494,709.

#### SIGNAL CORPS

##### SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph

lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment, required, \$5,894,520, and, in addition to such amount, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1938, for the procurement of radio equipment for airplanes to an amount not in excess of \$1,102,500, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

Electrical installations, etc.

Civilian employees.

Experimental investigation, etc.

## AIR CORPS

Air Corps.

### AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants, for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogyros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, and licenses under letters

Designated purposes.

Aircraft operation, etc.

Landing, etc., runways.

Helium gas.

Civilian employees.



Purchase, construction, etc., of aircraft.

Marking military airways.

Consulting engineers.

Printing plants, etc.

Settlement of claims.

New airplanes, equipment, etc.  
49 Stat. 1290.

*Proctos.*  
Helium.  
*Post*, p. 602.  
New airplanes.

Contracts authorized.

Crissy Field, Calif.  
Use of, as air station.

Sums available for incurred obligations.  
47 Stat. 1383; 48 Stat. 626.

patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding \$250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, \$58,618,406, of which \$10,669,786 shall be available under the appropriation "Air Corps, Army, 1937", for payments under contracts for the procurement of new airplanes and of equipment, spare parts, and accessories for airplanes, as authorized by said appropriation: *Provided*, That \$10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1937, for supplying helium: *Provided further*, That in addition to the amounts herein appropriated the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1938, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of \$19,126,894, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That of the amount herein appropriated and the amount herein authorized for contractual obligation not less than \$33,756,561 (exclusive of \$10,669,786 for payment of the obligations incurred under the above-mentioned contract authorization for the fiscal year 1937) shall be applied to the procurement of new airplanes and their equipment and accessories, of which amount of \$33,756,561 not less than \$26,262,760 shall be applied to the procurement of combat airplanes and their equipment and accessories: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for any expense incident to the use of Crissy Field, California, as an air station: *Provided further*, That the sum of \$56,060 of the appropriation for Air Corps, Army, fiscal year 1934, and the sum of \$236,310 of the appropriation for Air Corps, Army, fiscal year 1935, shall remain available until June 30, 1938, for the payment of obligations incurred under contracts executed prior to July 1, 1935.

## MEDICAL DEPARTMENT

Medical Depart-  
ment.

## ARMY

## MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment of patients, including supernumeraries, not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,552,330.

Supplies.

Private treatment.

*Proviso.*  
Not applicable, if on  
furlough.  
Contagious, etc.,  
diseases, treatment.

Insane Filipino sol-  
diers.  
35 Stat. 122.  
24 U. S. C. § 198.

Nurses.

Hot Springs, Ark.,  
hospital.

## HOSPITAL CARE, CANAL ZONE GARRISONS

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, \$50,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Canal Zone garri-  
sons.Hospital care of  
troops.

*Proviso.*  
Subsistence pay-  
ments.

## CORPS OF ENGINEERS

Engineer Corps.

## ENGINEER SERVICE, ARMY

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery

Equipment, instru-  
ments, etc.

<p>Engineer School, maintenance, etc.</p> <p>Maps, surveys, etc.</p> <p>Rent.</p> <p>Operating, etc., ex- penses.</p>	<p>required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, \$599,400.</p>
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### ORDNANCE DEPARTMENT

#### ORDNANCE SERVICE AND SUPPLIES, ARMY

<p>Ordnance Depart- ment.</p> <p>Ordnance service and supplies.</p> <p>Manufacture, issue, etc.</p> <p>Current expenses.</p> <p>Vehicles.</p> <p>Ammunition for military salutes.</p> <p>Gages, dies, and jigs.</p> <p>39 Stat. 215. 50 U. S. C. § 78. Publications.</p> <p>Consulting engi- neers.</p>	<p>For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for the development and procurement of gages, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, as amended (U. S. C., title 50, sec. 78); for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding fifty days each, and for their necessary traveling expenses, \$22,137,000, and of the total sum hereby made available \$144,000 shall be available exclusively for equipping seventy-five-millimeter guns with high-speed adapters.</p>
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Rock Island, Ill.

#### ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

<p>Operating bridges, etc.</p>	<p>For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$32,835.</p>
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Arsenals.

#### REPAIRS OF ARSENALS

Repairs, etc.

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, \$1,087,280.

## CHEMICAL WARFARE SERVICE

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes; investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicists as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, \$1,525,180.

Chemical Warfare Service.

Purchase, manufacture, etc., of gases.

Part-time employment of scientists, etc.

Vehicles.

Plants, buildings, machinery, etc.

Civilian employees.

Special gas troops; organization, training, etc.

Current expenses.

## CHIEF OF INFANTRY

## INFANTRY SCHOOL, FORT BENNING, GEORGIA

For the procurement of books, publications, instruments, and materials, and other necessary expenses for instruction at the Infantry School, and for pay of employees at the Infantry School and in the office of the Chief of Infantry, \$71,330.

Chief of Infantry.

Infantry School, Fort Benning, Ga.

Instruction expenses.

## CHIEF OF CAVALRY

## CAVALRY SCHOOL, FORT RILEY, KANSAS

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, \$24,000.

Chief of Cavalry.

Cavalry School, Fort Riley, Kans.

Instruction expenses.

## CHIEF OF FIELD ARTILLERY

## INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities, \$48,250.

Chief of Field Artillery.

Field Artillery activities.

Instruction expenses.

## CHIEF OF COAST ARTILLERY

Chief of Coast Artillery.

Coast Artillery School, Fort Monroe, Va.  
Instruction expenses.

## COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for newspapers and periodicals; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance; operation, and repair of motor trucks; and unforeseen expenses; in all, \$28,260.

Printing and binding.

Seacoast defenses.

## SEACOAST DEFENSES

All expenses.

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, \$2,443,410, of which not less than \$200,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

Insular departments, \$1,092,710, of which not less than \$300,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

Panama Canal, \$1,467,200, of which not less than \$300,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

In all, \$5,003,320.

Military Academy.

## UNITED STATES MILITARY ACADEMY

Pay.

## PAY OF MILITARY ACADEMY

Cadets.  
*Provided*,  
Army detail, pay  
restriction.

Retired Army officer as librarian.  
R. S. § 1251.  
10 U. S. C. § 933.

Civilians.

Maintenance, etc.

Designated expenses.

Cadets: For pay of cadets, \$1,375,920: *Provided*, That during the fiscal year ending June 30, 1938, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Civilians: For pay of employees, \$303,350.

## MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

For text and reference books for instruction; increase and expense of library (not exceeding \$6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; maintenance of children's school (not exceeding

\$12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed \$4,000); expenses of the members of the Board of Visitors (not exceeding \$1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding \$500); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, \$1,442,000: *Provided*, That not to exceed \$3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Board of Visitors.

*Proviso.*  
Liquidating certain  
debts to cadet store.

### NATIONAL GUARD

National Guard.

#### ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Arming, etc.

For procurement of forage, bedding, and so forth, for animals used by the National Guard, \$514,439.

Forage, etc.

For compensation of help for care of materials, animals, and equipment, \$2,755,244.

Care of animals,  
materials, etc.

For expenses, camps of instruction, field and supplemental training, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$8,952,290: *Provided*, That not to exceed \$25,000 of this appropriation shall be available for the settlement of claims (not exceeding \$500) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while thereto or therefrom en route.

Instruction ex-  
penses.

*Proviso.*  
Settlement of  
claims.

For expenses, selected officers and enlisted men, military service schools, \$140,209.

Service schools, in-  
struction, etc.

For pay of property and disbursing officers for the United States, at a rate not less than \$2,400 per annum, \$128,400.

Property and dis-  
bursing officers.

For general expenses, equipment, and instruction, National Guard, the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, and the medical and hospital treatment of members of the National Guard who suffer personal injury or contract disease in line of duty, and other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507), \$849,126.

Equipment, etc.

Medical, etc., treat-  
ment.

Burial expenses.  
49 Stat. 1507.  
10 U. S. C., Supp.  
II, §§ 455a-d.

For travel of officers, warrant officers, and enlisted men of the Regular Army in connection with the National Guard, \$248,500: *Provided*, That not to exceed \$2,000 of this sum shall be expended for travel of officers of the War Department General Staff in connection with the National Guard.

Travel, Army offi-  
cers, etc.

*Proviso.*  
War Department  
General Staff.

For transportation of equipment and supplies, \$217,000.

Transporting sup-  
plies.  
Army enlisted men,  
details.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including payment of an allowance for quarters at the rate of \$35 per month to each man not furnished quarters in kind, \$298,688.

Pay, armory drills.  
No pay to National Guard officer, etc., drawing pension.

*Provisos.*  
Provisions waived if pension surrendered.

Adjutants general continued in present status without pay.

Field service.

Procuring arms and equipment.  
Requisitions from Governors, etc.

Motor trucks, field ambulances, etc.

Increasing strength of National Guard.

Accounting.

*Provisos.*  
Camps of instruction, increase.

Specifications for motor vehicles.

Replacement of damaged property.  
39 Stat. 204.  
32 U. S. C. § 47.

39 Stat. 199.  
32 U. S. C. § 22.

48 Stat. 1227.  
31 U. S. C. § 725c.

Clothing, equipment, etc., from Army surplus stores.

For pay of National Guard (armory drills), \$14,194,000.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

To procure by purchase or manufacture and issue from time to time to the National Guard, upon requisition of the Governors of the several States and Territories or the commanding general, National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, including animals, motor trucks, motorcycles, field ambulances, and station wagons and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, \$12,360,591, of which \$500,000 shall be available exclusively for defraying the cost of increasing the strength of the National Guard from approximately two hundred thousand to not exceeding an average of two hundred and five thousand officers and men, and all of the sums appropriated in this Act on account of the National Guard, except the subappropriation of \$8,952,290 for expenses, camps of instruction, and so forth, and the subappropriation of \$14,194,000 for pay of National Guard (armory drills), shall be accounted for as one fund, and of the total of all sums appropriated in this Act on account of the National Guard, \$1,500,000 shall be available immediately: *Provided*, That the subappropriation for expenses, camps of instruction, and so forth, may be increased not to exceed \$625,000 by transfer from other sums appropriated in this Act under the heading "National Guard", exclusive of pay for armory drills: *Provided further*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard: *Provided further*, That the value of issues made to any State, Territory, or the District of Columbia to replace property surveyed in accordance with section 87, National Defense Act of June 3, 1916, as amended, shall not be charged to the apportionments required by section 67 of that Act, but no such replacement issue shall be made in excess of receipts theretofore collected and covered into the Treasury as miscellaneous receipts pursuant to said section 87, as amended, and section 4 (a) and (b) (22) of the Permanent Appropriation Repeal Act of June 26, 1934: *Provided further*, That the Secretary of War is hereby authorized to issue from surplus or reserve stores and material on hand and purchased for the United

States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provision of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916 (U. S. C., title 32, sec. 21), as amended. This issue shall be made without charge against National Guard appropriations except for actual expenses incident to such issue.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1938, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1938", nor shall any provision in this Act operate to deprive a reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1938": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

#### ORGANIZED RESERVES

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves,

39 Stat. 199.  
32 U. S. C. § 21.

Issue without charge  
against fund.

No increase of  
mounted units, etc.

*Provisos.*  
Participation in na-  
tional matches.

Travel and subsist-  
ence.

*Post*, p. 467.  
Reserve officers.

Caretakers of ranges.

Organized Reserves.

Officers' Reserve  
Corps.

*Provisos.*  
Mileage allowance.

Enlisted Reserve  
Corps.

Correspondence,  
etc., courses.

Training manuals.

Headquarters and  
training camps.



Vehicles.  
Travel, etc., ex-  
penses.

New airplanes.

Baggage transporta-  
tion.

Medical and hospi-  
tal treatment.

49 Stat. 1507.  
10 U. S. C., Supp. II,  
§ 455b.

Flight-training re-  
striction.

Divisional, etc.,  
headquarters.

Restriction on use  
of other funds.

Use of available  
supplies, etc.

No pay to officer  
drawing pension, etc.

*Proviso.*  
Provision waived if  
pension, etc., sur-  
rendered.

Reserve officer on  
active duty; pay re-  
striction.  
General Staff detail  
excepted.

41 Stat. 760.  
10 U. S. C. §§ 26, 37.

Other details.

49 Stat. 1524.  
10 U. S. C., Supp.  
II, §§ 292b-2, 300a,  
291c, 292a-1-3.  
49 Stat. 1028.  
10 U. S. C., Supp.  
II, § 369a.

including the maintenance and operation of motor-propelled passen-  
ger-carrying vehicles and purchase of thirty such vehicles; for the  
actual and necessary expenses, or per diem in lieu thereof, at rates  
authorized by law, incurred by officers and enlisted men of the Regu-  
lar Army traveling on duty in connection with the Organized Re-  
serves, and for travel of dependents, and packing and transportation  
of baggage of such personnel; for expenses incident to the use,  
including upkeep and depreciation costs, of supplies, equipment, and  
matériel furnished in accordance with law from stocks under the  
control of the War Department, except that not to exceed \$858,165  
of this appropriation shall be available for expenditure by the Chief  
of the Air Corps for the production and purchase of new airplanes  
and their equipment, spare parts, and accessories; for transportation  
of baggage, including packing and crating, of reserve officers ordered  
to active duty for not less than six months; for the medical and  
hospital treatment of members of the Officers' Reserve Corps and of  
the Enlisted Reserve Corps, who suffer personal injury or contract  
disease in line of duty, as provided by the Act of June 15, 1936 (49  
Stat., 1507), and for such other purposes in connection therewith as  
are authorized by the said Act, including pay and allowances, sub-  
sistence, transportation, and burial expenses; in all, \$9,837,883; and  
no part of such total sum shall be available for any expense incident  
to giving flight training to any officer of the Officers' Reserve Corps  
unless he shall be found physically and professionally qualified to  
perform aviation service as an aviation pilot, by such agency as the  
Secretary of War may designate: *Provided*, That not to exceed  
\$100,000 of this appropriation may be used for establishment and  
maintenance of divisional and regimental headquarters.

None of the funds appropriated elsewhere in this Act, except for  
printing and binding, field exercises, and for pay and allowances  
of officers and enlisted men of the Regular Army, and for mileage,  
reimbursement of actual traveling expenses, or per-diem allowances  
in lieu thereof, as authorized by law, to Air Corps Reserve officers  
on extended active duty, shall be used for expenses in connection  
with the Organized Reserves, but available supplies and existing  
facilities at military posts shall be utilized to the fullest extent  
possible.

No appropriation made in this Act shall be available for pay,  
allowances, or traveling or other expenses of any officer of the  
Organized Reserves who may be drawing a pension, disability allow-  
ance, disability compensation, or retired pay from the Government  
of the United States: *Provided*, That nothing in this provision shall  
be so construed as to prevent the application of funds herein con-  
tained to the pay, allowances, or traveling expenses of any officer  
or enlisted man of the Reserve Corps who may surrender said pen-  
sion, disability allowance, disability compensation, or retired pay  
for the period of his active duty in the Reserve Corps.

No appropriation made in this Act shall be expended for the  
pay of a reserve officer on active duty for a longer period than  
fifteen days, except such as may be detailed for duty with the War  
Department General Staff under section 3a and section 5 (b) of the  
National Defense Act, as amended (U. S. C., title 10, secs. 26, 37),  
or who may be detailed for courses of instruction at the general  
or special service schools of the Army, or for duty as instructors at  
civilian military training camps, appropriated for in this Act, or  
for duty with the Air Corps, under the provisions of section 1 of  
the Act of June 16, 1936 (49 Stat. 1524), or who may be detailed  
to active duty with the Regular Army under the provisions of the

Act of August 30, 1935 (U. S. C., title 10, sec. 369a): *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

## CITIZENS' MILITARY TRAINING

### RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (U. S. C., title 10, sec. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons, \$4,119,570, and,

*Proviso.*  
Medical Reserve  
Corps, for Veterans'  
Administration pa-  
tients in Army hospi-  
tals.

Citizens' Military  
Training.

Reserve Officers'  
Training Corps.

Quartermaster sup-  
plies for units of.

Training camps, etc.

Travel allowance.

Expenses of sup-  
plies, etc.

Subsistence com-  
mutation, senior divi-  
sion.

39 Stat. 194; 41 Stat.  
778.  
10 U. S. C. § 387.  
Medical treatment.

49 Stat. 1507.

Baggage transporta-  
tion.

Vehicles.

49 Stat. 1302.

*Provisos.*  
Issue of Army  
horses.

Uniforms, etc., from  
Army surplus stock.

Current price to  
govern.

Additional units for-  
bidden.

No additional stu-  
dents in designated  
units.

Restriction on use  
of other funds.

in addition, \$517,850 of the appropriation "Reserve Officers' Training Corps, 1937", which is hereby reappropriated, and of the total amount hereby made available \$400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Schools and colleges.

## MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

Military supplies  
and equipment.  
41 Stat. 780.  
10 U. S. C. § 1180.  
R. S. § 1225.  
34 U. S. C. § 1129.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (U. S. C., title 10, sec. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, \$8,900.

Citizens' Military  
Training Camps.

## CITIZENS' MILITARY TRAINING CAMPS

Uniforms, transpor-  
tation expenses, etc.

41 Stat. 779.  
10 U. S. C. § 442.

Maintenance.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (U. S. C., title 10, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War

Department; for gymnasium and athletic supplies (not exceeding \$20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment of members of the citizens' military training camps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507); in all, \$2,275,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course, who shall have reached his twenty-fourth birthday before the date of enrollment: *Provided further*, That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: *Provided further*, That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

Under the authorizations contained in this Act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or one million men.

#### NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms; for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding \$25,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, and services, as authorized in section 113, Act of June 3, 1916, and in War Department Appropriation Act of June 7, 1924; for the conduct of the National Matches, including incidental travel, and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed \$7,500 for its incidental expenses as authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War, \$645,726.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee

Medical and hospital treatment.

Burials.

49 Stat. 1507.

*Provisos.*  
Age limitation.

Restriction on use of other funds.

Uniforms, etc., from Army surplus stocks.

Current price to govern.

Restriction on use of reserve supplies.

Promotion of rifle practice.

Instruction expenses.

Supplies, etc.

39 Stat. 211; 43 Stat. 510.  
32 U. S. C. § 181.

45 Stat. 786.  
32 U. S. C. § 181c.

No pay to officer, etc., using time-measuring device.

Cash rewards restricted.

while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Private use of Government vehicles.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

Post exchange restriction.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

*Provisos.*  
Report required.

Isolated posts.

Short title.

SEC. 4. This Act may be cited as the "Military Appropriation Act, 1938".

Approved, July 1, 1937.

#### [CHAPTER 424]

#### AN ACT

July 1, 1937

[H. R. 7726]

[Public, No. 177]

Making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations.

Extension of Appropriations Act, 1938.  
Appropriations for last fiscal year for certain unprovided for operations extended.  
*Post*, p. 514.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for defraying during the first half of the month of July 1937 all expenses of the necessary operations of the Federal Government, which, on July 1, 1937, remain unprovided with appropriations through the failure of enactment on or before such date of the supply bills customarily providing for such operations, there are hereby extended for and during such period all appropriations available for obligation for such expenses during the fiscal year ending June 30, 1937, in the same detail and under the same conditions, restrictions, and limitations as such appropriations were provided for on account of such fiscal year.

Appropriation of necessary sums for first half of July 1937.

SEC. 2. To make effective the appropriations extended by section 1, there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of certain revenues, receipts, and funds, respectively, as such appropriations available for the fiscal year ending June 30, 1937, were appropriated, such sums as may be necessary for such first half of the month of July 1937.

Proportionate amounts only to be expended.

SEC. 3. No greater amount shall be expended out of any appropriation provided by this Act than an amount equal to one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

SEC. 4. The total expenditures for the entire fiscal year ending June 30, 1938, out of the appropriations made by this Act and the appropriations in the several pending supply bills shall not exceed in the aggregate the amounts finally appropriated, respectively, in such pending supply bills when they shall have been enacted into law.

Total expenditures not to exceed in aggregate sums finally appropriated.

SEC. 5. This Act shall not be construed as authorizing the duplication of any special expenditure or providing for the execution of any purpose which was intended to be accomplished only once or done solely for or during the fiscal year ending June 30, 1937.

Duplications, etc., restricted.

SEC. 6. (a) This Act shall not apply to any expenses or operations of the Federal Government the annual appropriations for which for the fiscal year ending June 30, 1938, have been made on or before July 1, 1937.

Not to apply to operations already provided for.

(b) On such date or dates subsequently to July 1, 1937, as the several pending supply bills shall, respectively, become law, the appropriations made by this Act and applicable to the expenses of operation covered by such pending supply bills shall no longer be available for obligation.

Available only until pending supply bills become law.

(c) Any appropriations in this Act for such first half of the month of July 1937 for any expense of operation for which an appropriation is proposed in, but not finally made by any of, such pending supply bills when the same shall have become law shall cease to be available for obligation on the date upon which the supply bill in which such appropriation was proposed becomes a law; and any expenditure under any such appropriation in this Act shall not be included in computing the total of expenditures under section 4 hereof.

Availability of appropriations.

SEC. 7. The terms "supply bill" and "supply bills", when used in this Act, mean one or more of the regular appropriation bills customarily enacted annually, and for the purposes of this Act title II of the War Department Appropriation Act for the fiscal year 1937 shall be deemed such a supply bill.

Terms defined.

SEC. 8. This Act may be cited as the "Extension of Appropriations Act, 1938".

Short title.

Approved, July 1, 1937.

#### [CHAPTER 425]

#### JOINT RESOLUTION

Making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes.

July 1, 1937  
[H. J. Res. 433]  
[Pub. Res., No. 50]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, for the following respective purposes:*

Appropriations for Civilian Conservation Corps, etc., fiscal year 1938.

#### LEGISLATIVE

Legislative.

#### JOINT COMMITTEE ON TAX EVASION AND AVOIDANCE

For payment of salaries and other expenses of the Joint Committee on Tax Evasion and Avoidance authorized by Public Resolution Numbered 40, approved June 11, 1937, including stenographic reporting services under contract without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), per-diem allowances in lieu of actual expenses of subsistence, traveling expenses,

Joint Committee on Tax Evasion and Avoidance, expenses. *Id.*, p. 253.

R. S. § 3709.  
41 U. S. C. § 5.

Division of disbursement.

law books, books of reference, periodicals, newspaper clippings, and such other expenditures as the joint committee deems advisable, fiscal years 1937 and 1938, \$50,000, to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

#### PAYMENT OF PAGES

Pages.

For the payment of twenty-one pages for the Senate and forty-seven pages for the House of Representatives, at \$4 per day each, for the period commencing July 1, 1937, and ending with the last day of the month in which the Seventy-fifth Congress adjourns sine die at the first session thereof, so much as may be necessary is appropriated for each legislative body.

Executive.

#### EXECUTIVE

Civilian Conservation Corps.

#### CIVILIAN CONSERVATION CORPS

Expenses.  
*Ante*, p. 319.

For all authorized and necessary expenses to carry into effect the provisions of the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, including personal services in the District of Columbia and elsewhere; the purchase and exchange of law books, books of reference, periodicals, and newspapers; rents in the District of Columbia and elsewhere; the purchase (including exchange), operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes; hire, with or without personal services, of work animals, animal-drawn and motor-propelled vehicles, and watercraft; printing and binding; travel expenses, including not to exceed \$2,000 for expenses of attendance at meetings concerned with the work of the Corps when specifically authorized by the Director; construction, improvement, repair, and maintenance of buildings, but the cost of any building erected hereunder shall not exceed \$25,000; and all other necessary expenses; fiscal year 1938, \$350,000,000, of which sum not to exceed \$200,000 may be expended for salaries and expenses of the Office of the Director: *Provided*, That an enrollee in the Civilian Conservation Corps, or member, or former member, of the Military Establishment, who shall furnish blood from his or her veins for transfusion to the veins of an enrollee or discharged enrollee of the Civilian Conservation Corps undergoing treatment in a Government or civilian hospital authorized to treat such patient, shall be entitled to be paid therefor a reasonable sum not to exceed \$50: *Provided further*, That the employment of employees of the Emergency Conservation Work and of the cooperating Federal agencies whose compensation is paid from Emergency Conservation Work funds, as of June 30, 1937, and whose employment was not specifically terminated as of that date, may be continued without reappointment, subject to review by the Director.

Rents in the District.  
Vehicles.

Printing and binding.

Director's office, salary, etc., restriction. . .  
*Post*, p. 757.

*Proviso*.  
Payments for blood transfusions.

Continuance of designated employees without reappointment.

Railroad Retirement Board.

#### RAILROAD RETIREMENT BOARD

Railroad retirement account.  
49 Stat. 969; *Ante*, p. 307.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act, approved August 29, 1935, and the Railroad Retirement Act, approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, fiscal years 1937 and 1938, \$99,880,000, together with the unexpended balance of the appropriation for the payment of annuities to employees, representatives, widows, widowers, or dependent

next of kin of employees, contained in the "Independent Offices Appropriation Act, 1937" and reappropriated in the "Independent Offices Appropriation Act, 1938": *Provided*, That such amount shall be available until expended for making payments required under said retirement acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937: *Provided further*, That all payments under sections 3, 4, and 5 of the Railroad Retirement Act, 1935, heretofore made from the appropriation contained in the "Independent Offices Appropriation Act, 1937", and reappropriated in the "Independent Offices Appropriation Act, 1938", shall be considered as having been made from the railroad retirement account herein established.

49 Stat. 1178; *Ante*, p. 341.

*Provisos.*  
Availability.

Investments.

*Ante*, p. 316.

Accounting.

49 Stat. 1178; *Ante*, p. 340.

#### DEPARTMENT OF AGRICULTURE

Rent of buildings: Not to exceed \$30,000 of such funds available to the Department of Agriculture for the fiscal year 1938, as the Secretary of Agriculture may determine, may be transferred to the appropriation for rent of buildings in the District of Columbia for such Department for such fiscal year.

Department of Agriculture.

Rent in District of Columbia.

#### TREASURY DEPARTMENT

For the establishment of "the fund for the payment of Government losses in shipment", authorized by the "Government Losses in Shipment Act", \$500,000.

Treasury Department.

Government losses in shipment fund.  
*Post*, p. 479.

SEC. 2. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Joint Resolution in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Retroactive provision.

Approved, July 1, 1937.

#### [CHAPTER 426]

#### AN ACT

To amend the Act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes.

July 2, 1937  
[S. 2156]

[Public, No. 178]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time for completing the construction of the bridge at or near Farnam Street, authorized under the provisions of section 3 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States", approved June 10, 1930, as extended, is hereby further extended one year from June 10, 1938. It is hereby recognized that construction has been heretofore commenced under the provisions of section 3 of said Act as extended, and said bridge may be constructed at any point, providing the west end of said bridge is within two thousand feet of the center line of said Farnam Street, irrespective of the site of the commencement hereby recognized, subject to the approval of the War Department and the approval of either of the Highway Departments of the States of Iowa or Nebraska, all in accordance with and subject to the provisions of said Act approved June 10, 1930, as extended, and as amended by this Act.

Missouri River.  
Time extended for bridging, at Omaha, Nebr.  
46 Stat. 544; 49 Stat. 289.

Commencement recognized.

Location.

SEC. 2. Any bridge constructed or to be constructed or owned and operated by the Omaha-Council Bluffs Missouri River Bridge Board

Bridge deemed Federal instrumentality.



of Trustees under said Act of 1930, as herein amended, shall be deemed a Federal instrumentality for facilitating interstate commerce, improving the postal service, and providing for military and other governmental purposes.

Acquisition, etc., of  
other bridges.

Amortization of in-  
curred obligations.

Toll rates.

Bond issue.

*Proviso.*  
Operation not to im-  
pair earnings of any  
other bridge, etc.

Power to acquire  
any other bridge con-  
ditional upon State  
approval.

Regulation of toll  
rates.  
34 Stat. 85.  
33 U. S. C. § 494.

Acquisition author-  
ized by States, cities,  
and counties desig-  
nated.

Conveyance by  
Board of Trustees.

SEC. 3. That in addition to the powers granted by said Act of 1930, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees may acquire and purchase and thereafter operate any other bridge or bridges (including approaches) over the Missouri River, which (including approaches) abuts upon or enters into the corporate limits of either or both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, all in the manner provided by this Act and said Act of 1930, it being contemplated that all bridges owned and operated by said Board will be so financed that the obligations incurred will be amortized and the travel over such bridge or bridges will be made free of tolls at the same time. It shall be obligatory upon said Board that all toll revenues after paying the reasonable and proper charges of operation and maintenance and the accruing interest on the outstanding indebtedness be applied to the retirement of such indebtedness. The rate or rates of toll for crossing any bridge now or hereafter constructed which abuts upon or enters into the present corporate limits of both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said Board for the account of any bridge or bridges shall be outstanding and unpaid. To pay the cost of any such bridge or bridges so purchased the board may either separately, or in conjunction with the financing of any other bridge, issue bonds as provided in said Act of 1930 as herein amended: *Provided*, That said Board shall operate each of the bridges under its control and charge and collect such rates of toll for transit over same as will not reflect upon or impair the earnings of any other bridge operated by said board, or of which the construction was financed in whole or in part by a loan and a grant from the United States of America, or any agency or instrumentality thereof, to such extent as to adversely affect any outstanding bonds which may have been issued for account of such other bridge: *Provided further*, That the power granted in this section with respect to the acquisition and purchase of any other bridge shall not be exercised by said the Omaha-Council Bluffs Missouri River Board of Trustees until all terms of the proposed acquisition and purchase of any such bridge shall have been approved by the Highway Departments of the States of Iowa and Nebraska. The construction of no competing bridge shall hereafter be authorized, the operation of which will adversely affect such outstanding bonds, unless provision is otherwise made for the payment thereof: *Provided further*, That the rates of toll to be charged for transit over bridges operated by said Board shall at all times be subject to regulation by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. That either the State of Nebraska and the State of Iowa, separately or jointly, or the cities of Omaha and Council Bluffs, separately or jointly, or the counties of Douglas, Nebraska, and Pottawattamie, Iowa, separately or jointly, may at any time acquire and take over all right, title, and interest in all of the bridges, including approaches, and including any interest in real property necessary therefor, then owned and operated by said Board. It shall not be necessary to condemn or expropriate such property, but the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall deliver same by proper instrument of conveyance; and no damages or compensation whatsoever

shall be allowed for any such right, title, and interest, but such conveyance shall be made and taken subject to the bonds, debentures, or other instruments of indebtedness of said Board then outstanding, including accrued interest thereon. Such instrument of conveyance shall be executed and delivered within a period of thirty days after a written notice of such intention to take over such property.

SEC. 5. That in addition to the powers granted by said Act of 1930, as extended, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, are hereby granted power and authority to acquire, condemn, occupy and possess and use real estate and other property acquired for or devoted to a public use for park or other purposes by the State of Nebraska or the State of Iowa, or any governmental or political subdivision thereof, or any person or corporation which real estate or other property may be required for the location, construction, operation, and maintenance of such bridge and its approaches and highways leading thereto, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 6. Said bridge may be constructed with the aid of any Federal funds appropriated and apportioned to the States of Iowa and Nebraska, or either of them, for expenditure under the Federal Highway Act, as amended and supplemented, and the limitations of such Act, as amended and supplemented, relating to the construction of toll bridges with Federal funds, and the use of tolls controlled for transit over bridges so constructed and operated shall not be applicable to the tolls authorized to be charged under the provisions of this Act.

SEC. 7. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 2, 1937.

Right to acquire, etc., property.

Location, approaches, etc.

Federal aid. Expenditure. 23 U. S. C. §§ 1-25.

Amendment.

## [CHAPTER 427]

### AN ACT

To provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges.

July 5, 1937  
[H. R. 2703]  
[Public, No. 179]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first paragraph of section 2 of the Act entitled "An Act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes", approved September 14, 1922 (42 Stat. 838; U. S. C., title 28, sec. 218), is hereby amended to read as follows:

SEC. 2. "It shall be the duty of the Chief Justice of the United States, or in case of his disability, of one of the other Justices of the Supreme Court, in order of their seniority, as soon as may be after the passage of this Act, and annually thereafter, to summon to a conference on the last Monday in September, at Washington, District of Columbia, or at such other time and place in the United States as the Chief Justice, or, in case of his disability, any of said Justices in order of their seniority, may designate, the senior circuit judge of each judicial circuit and the chief justice of the United States Court of Appeals for the District of Columbia. If any senior circuit judge is unable to attend, the Chief Justice, or in case of his disability, the Justice of the Supreme Court calling said

United States Court of Appeals for the District of Columbia.

42 Stat. 838.  
28 U. S. C. § 218.

Representation of, at annual conference of senior circuit judges.

Time and place.

Substitute for senior circuit judge.

Attendance re-  
quired.

conference, may summon any other circuit or district judge in the judicial circuit whose senior circuit judge is unable to attend, and, if the chief justice of the United States Court of Appeals for the District of Columbia is unable to attend, any other justice of that court may be summoned in like manner, that each circuit may be adequately represented at said conference. It shall be the duty of every judge or justice thus summoned to attend said conference, and to remain throughout its proceedings, unless excused by the Chief Justice, and to advise as to the needs of his circuit and as to any matters in respect of which the administration of justice in the courts of the United States may be improved."

Approved, July 5, 1937.

[CHAPTER 428]

AN ACT

July 5, 1937  
[H. R. 3284]  
[Public, No. 180]

To transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa.

Iowa judicial dis-  
tricts.  
Crawford County  
transferred to western  
division of northern  
judicial district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* Crawford County, Iowa, of the western division of the southern judicial district of Iowa be, and it is hereby, detached from said judicial district and attached to the western division of the northern judicial district of Iowa.

Approved, July 5, 1937.

[CHAPTER 429]

AN ACT

July 5, 1937  
[H. R. 4711]  
[Public, No. 181]

To extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows in the State of Washington.

Puget Sound.  
Time extended for  
bridging, at The Nar-  
rows, Wash.  
43 Stat. 810; 49 Stat.  
907.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the times for commencing and completing the construction of a bridge authorized by Act of Congress approved May 28, 1934, heretofore extended by Act of Congress approved August 27, 1935, to be built by the county of Pierce, State of Washington, across Puget Sound, at or near a point commonly known as The Narrows, are hereby further extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

[CHAPTER 430]

AN ACT

July 5, 1937  
[H. R. 4795]  
[Public, No. 182]

To provide for a term of court at Livingston, Montana.

Montana judicial  
district.  
36 Stat. 1118.  
28 U. S. C. § 172.  
Post, p. 837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* section 92 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 172), is amended to read as follows:

Terms of court; Liv-  
ingston added.

"The State of Montana shall constitute one judicial district, to be known as the district of Montana. Terms of the district court shall be held at Helena, Butte, Great Falls, Lewistown, Billings, Missoula, Glasgow, Havre, Miles City, and Livingston at such times

as may be fixed by rule of such court: *Provided*, That suitable rooms and accommodations for holding court at Glasgow, Lewistown, Livingston, and Havre are furnished free of all expense to the United States. Causes, civil and criminal, may be transferred by the court or a judge thereof from any sitting place designated above to any other sitting place thus designated, when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place."

Approved, July 5, 1937.

*Proviso.*  
Rooms to be furnished free at places designated.

Transfer of causes.

#### [CHAPTER 431]

##### AN ACT

To extend times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Indiana.

July 5, 1937  
[H. R. 5848]  
[Public, No. 183]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge across the Wabash River, at or near Merom, Sullivan County, Indiana, authorized to be built by Sullivan County, Indiana, or any board or commission of said county which is or may be created or established for the purpose, by an Act of Congress approved February 10, 1932, heretofore extended by an Act of Congress approved April 30, 1934, and June 28, 1935, and May 1, 1936, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

Wabash River.  
Time extended for bridging, at Merom, Ind.

47 Stat. 44; 48 Stat. 654; 49 Stat. 429, 1254.

Amendment.

#### [CHAPTER 432]

##### AN ACT

To amend the Interstate Commerce Act.

July 5, 1937  
[H. R. 6049]  
[Public, No. 184]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 22 (1) of Part I of the Interstate Commerce Act is amended by inserting after the word "guide" the words "or seeing-eye dog or other guide dog specially trained and educated for that purpose".

Approved, July 5, 1937.

Interstate Commerce Act, amendment.  
Seeing-eye, etc., dogs accompanying blind persons, transportation.  
49 U. S. C. § 22.

#### [CHAPTER 433]

##### AN ACT

Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Maryland, at or near a point opposite Shepherdstown, West Virginia, and a point at or near Shepherdstown, Jefferson County, West Virginia, to take the place of a bridge destroyed by flood.

July 5, 1937  
[H. R. 6285]  
[Public, No. 185]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, in Washington County, Maryland, at or near a point

Potomac River.  
Construction of bridge authorized across, Shepherdstown, W. Va., to a point opposite in Maryland.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

Right to acquire  
real estate, etc.

Condemnation pro-  
ceedings.

Amendment.

opposite Shepherdstown, West Virginia, and a point at or near Shepherdstown, Jefferson County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

#### [CHAPTER 434]

#### AN ACT

Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Maryland, and a point near the north end of Morgan County, West Virginia, to take the place of a bridge destroyed by flood.

Potomac River.  
Construction of  
bridge authorized  
across, Hancock, Md.,  
to a point opposite in  
West Virginia.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

Right to acquire  
real estate, etc.

Condemnation pro-  
ceedings.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, at or near a point in the vicinity of Hancock, in Washington County, Maryland; and a point near the north end of Morgan County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

## [CHAPTER 435]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska.

July 5, 1937  
[H. R. 6292]  
[Public, No. 187]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska, authorized to be built by the county of Knox, State of Nebraska, by section 32 of the Act of Congress approved August 30, 1935, amended by Act of Congress approved May 18, 1936, are extended one and three years, respectively, from August 30, 1937.

Missouri River.  
Time extended for  
bridging, at Niobrara,  
Nebr.

49 Stat. 1074, 1354.

Approved, July 5, 1937.

## [CHAPTER 436]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho.

July 5, 1937  
[H. R. 6494]  
[Public, No. 188]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho, authorized to be built by the States of Washington and Idaho, by an Act of Congress approved February 19, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

SNAKE RIVER.  
Time extended for  
bridging, between  
Clarkston, Wash., and  
Lewiston, Idaho.

49 Stat. 27.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 5, 1937.

## [CHAPTER 438]

## JOINT RESOLUTION

To amend the Act entitled "An Act to amend section 4471 of the Revised Statutes of the United States, as amended."

July 5, 1937  
[H. J. Res. 434]  
[Pub. Res., No. 51]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to amend section 4471 of the Revised Statutes of the United States, as amended" (Public, Numbered 712, Seventy-fourth Congress), approved June 20, 1936, is amended by striking out "July 1, 1937" in the first line of the second paragraph thereof and inserting in lieu thereof "October 1, 1937".

Passenger vessels.  
Time extended for  
installing sprinkler  
systems on certain.  
49 Stat. 1540.  
46 U. S. C., Supp.  
II, § 461.

Approved, July 5, 1937.

## [CHAPTER 441]

## AN ACT

To amend the Act of May 25, 1933 (48 Stat. 73).

July 8, 1937  
[H. R. 2291]  
[Public, No. 139]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved May 25, 1933 (48 Stat. 73), be amended by changing the period at the end of the Act to a colon and by adding the following words: "Provided, That on and after the date of the accrediting of the said academies by the Association of American Universities the superintendents of the respective academies may, under such rules and regulations as the respective secretaries may make, confer the

Naval, Military,  
and Coast Guard  
Academies.  
Degree of bachelor  
of science may be  
conferred on living  
graduates.  
48 Stat. 73.  
10 U. S. C. § 436a.

degree of bachelor of science upon such other living graduates of the said academies as shall have met the requirements of the respective academies for such degree."

Approved, July 8, 1937.

[CHAPTER 442]

AN ACT

To authorize the Secretary of War to lease to Old Fort Niagara Association, Incorporated, portions of the Fort Niagara Military Reservation, New York.

July 8, 1937  
[H. R. 3123]  
[Public, No. 190]

Fort Niagara  
Military Reservation,  
N. Y.  
Portions of, leased  
to Old Fort Niagara  
Association.

*Proviso.*  
Consideration.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lease to Old Fort Niagara Association, Incorporated, a nonprofit membership corporation incorporated under the laws of the State of New York, that portion of the Fort Niagara Military Reservation, New York, known as Old Fort Niagara, including all grounds, buildings, and fortifications pertaining thereto which have been restored and rehabilitated by Old Fort Niagara Association, Incorporated, and the United States of America, together with such additional adjacent areas and/or buildings as, in the discretion of the Secretary of War, may be or become necessary for such term or terms and subject to such conditions as, in the discretion of the Secretary of War, shall be advisable: Provided, however, That the consideration for any lease executed pursuant to this Act shall be the maintenance by said Old Fort Niagara Association, Incorporated, of said premises in accordance with the terms of such lease, and every such lease shall be revocable at will by the Secretary of War.*

Approved, July 8, 1937.

[CHAPTER 443]

AN ACT

Authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act.

July 8, 1937  
[H. R. 6436]  
[Public, No. 191]

Panama Canal, em-  
ployees.  
Superannuation  
pay for certain, not  
qualifying under Re-  
tirement Act.

*Proviso.*  
Limitation on  
amount.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Panama Canal, under such regulations as may be prescribed by the President of the United States, may pay cash relief to such employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as may become unfit for further useful service by reason of mental or physical disability resulting from age or disease, and also to such former employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as have within three years prior to the date of enactment of this Act been separated from the service because of unfitness for further useful service by reason of such disability: Provided, That such cash relief shall not exceed \$1 per month for each year of service of the employee so furnished relief, with a maximum of \$25 per month, nor be granted to any employee having less than ten years' service with the Panama Canal, including any service with the Panama Railroad Company on the Isthmus of Panama.*

Annual appropria-  
tion authorized.

SEC. 2. That there is hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this Act.

Approved, July 8, 1937.

## [CHAPTER 444]

## AN ACT

To dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes.

July 8, 1937  
[H. R. 6635]  
[Public, No. 192]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That as soon as practicable after the approval of this Act the Secretary of the Treasury and the Postmaster General shall, jointly, with the approval of the President, prescribe regulations governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees of the United States, with a view to minimizing risks of loss and destruction of, and damage to, such valuables in shipment. After the effective date of such regulations, which shall be not more than thirty days after their issuance, it shall be the duty of every such executive department, independent establishment, agency, wholly owned corporation, officer, and employee, and of every person acting for him or it, or at his or its direction, to comply with such regulations in making any shipment of valuables.

Government Losses in Shipment Act.  
Shipments of valuables by Federal departments, agencies, etc.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000 to be used, under the direction of the Secretary of the Treasury, for the replacement of valuables, or the value thereof, lost, destroyed, or damaged in the course of shipment effected pursuant to the regulations prescribed under section 1. There is hereby further authorized to be appropriated annually, beginning with the fiscal year 1939 and ending with the fiscal year 1948, inclusive, the sum of \$200,000 for the said purposes, and from time to time such additional sums as may be necessary for the said purposes. There shall be in the Treasury of the United States a revolving fund, to be known as "the fund for the payment of Government losses in shipment" (hereinafter referred to as "the fund"), to be constituted of the said sum of \$500,000 and the sums hereafter appropriated for the said purposes, together with all recoveries and repayments credited to the fund as hereinafter provided. There is hereby further authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, for expenditures under the direction of the Secretary of the Treasury, to be used for the payment of administrative expenses, including personal services, necessary to carry out the provisions of this Act for the fiscal year 1938.

Sum authorized for replacement of losses, etc.

*Ante*, p. 471.

Annual appropriations authorized.

Revolving fund established.

Amount for administrative expenses.

Procedure for satisfying claims.

Decisions of Secretary of the Treasury.

SEC. 3. In the event of loss or destruction of, or damage to, valuables of which shipment shall have been made pursuant to the regulations prescribed under section 1, a claim in writing for replacement shall be made upon the Secretary of the Treasury who, if he shall be satisfied that such loss, destruction, or damage has occurred and that shipment was made substantially in accordance with such regulations, shall cause replacement to be made out of the fund through such officers as he may designate. Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States: *Provided, however*, That where the Secretary of the Treasury determines that such replacement can be effected, in whole or in part, without actual or ultimate injury to the United States, by a credit in the accounts of

*Provisos.*  
Fund not to be resorted to if replacement effected by credit in accounts.



Certification to  
Comptroller General.

Shipments of valu-  
ables by Public Debt  
Service.

40 Stat. 292.  
31 U. S. C. §§ 760,  
761.

Fund not available  
for losses adjusted by  
Postmaster General.

39 U. S. C. § 49.  
Fund unavailable  
where shipments  
made at risk of private  
individuals.

Credit for recoveries  
and repayments.

Insuring of ship-  
ments forbidden; ex-  
ception.

Special cases au-  
thorized by Secretary.

Officer, etc., making  
shipment in accord-  
ance with regulations.

Rules and regula-  
tions by Secretary of  
Treasury.

Terms defined—  
"Valuables."

the executive department, independent establishment, agency, officer, employee, or other accountable person making the claim, he shall not resort to the fund, except to the extent that such replacement cannot be so effected by such credit, but shall certify such determination to the Comptroller General and, upon receipt of such certification, the Comptroller General is authorized and directed to make such credit in the settlement of accounts in the General Accounting Office: *Provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made by or on behalf of the Public Debt Service of the Treasury Department, insofar as such loss, destruction or damage is chargeable against the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (U. S. C., 1934 edition, title 31, secs. 760, 761): *And provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables, insofar as such loss destruction, or damage may be adjusted by the Postmaster General under the provisions of the Act of March 17, 1882, as amended (U. S. C., 1934 edition, title 39, sec. 49); nor shall it be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made at the risk of persons other than the United States, its executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees. All recoveries and repayments on account of loss, destruction, or damage to valuables of which replacement shall have been made out of the fund shall be credited to it and shall be available for the purposes thereof.

SEC. 4. On and after the effective date of the regulations prescribed under section 1, no executive department, independent establishment, agency, wholly owned corporation, officer, or employee shall expend any money, or incur any obligation, for insurance, or for the payment of premiums on insurance, against loss, destruction, or damage in the shipment of valuables except as specifically authorized by the Secretary of the Treasury. The Secretary of the Treasury may give such authorization if he shall find that the risk of loss, destruction, or damage in such shipment cannot be adequately guarded against by the facilities of the United States or that the circumstances are such that adequate replacement cannot be provided under this Act.

SEC. 5. Every officer and employee of the United States and every person acting on behalf of a wholly owned corporation who makes a shipment of valuables in good faith pursuant to and substantially in accordance with the regulations prescribed under section 1 shall be deemed, insofar as there may be concerned the propriety with respect to such shipment of any act or omission governed by such regulations, to be acting in faithful execution of his duties of office and in full performance of the conditions of his bond and oath of office, if any.

SEC. 6. The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this Act, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

SEC. 7. For the purposes of this Act—

(a) The term "valuables" means any article or thing or representative of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or

indirect, and which is of, or is similar to, a class or kind of article or thing or representative of value which it has been the practice heretofore of the United States to insure as the insured party, against loss, destruction, or damage in shipment, and includes, but is not limited to, coin, specie, bullion, currency, bonds, coupons, debentures, bills, notes, certificates of indebtedness, certificates of deposit, mortgages, assignments, certificates of stock, warehouse receipts, checks, trust receipts, warrants, stamps, and any other securities, papers, or materials of value, whether complete, incomplete, mutilated, in definitive form, or represented by interim documents; the term "United States" as used in this subsection means the United States or any of its executive departments, independent establishments, agencies, wholly owned corporations, officers, or employees;

"United States."

(b) The term "shipment" means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used or by which the transportation, is effected or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

"Shipment."

(c) The term "wholly owned corporation" means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

"Wholly owned corporation."

(d) The term "replacement" means payment, reimbursement, replacement, or duplication or the expenses incident thereto.

"Replacement."

SEC. 8. (a) Whenever it is clearly proved to the satisfaction of the Secretary of the Treasury—

Powers of Secretary in designated cases.

(1) That any interest-bearing security of the United States, identified by number and description, payable to bearer or so assigned as to become, in effect, payable to bearer, has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner, or has been lost or stolen under such circumstances, and such a period of time having elapsed after it has matured or has become redeemable pursuant to a call for redemption, as in the judgment of the Secretary would indicate that it has been destroyed or irretrievably lost, is not held by any person as his own property and will never become the basis of a valid claim against the United States; or

Loss, destruction, etc., of interest-bearing security.

(2) That any interest-bearing security of the United States, identified by number and description, which is not payable to bearer and which has not been so assigned as to become, in effect, payable to bearer, has been lost or stolen, so that it is not held by any person as his own property, or has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner;

Registered, etc., securities.

the Secretary, upon receipt and approval by him of a bond of indemnity, if and as required by subsection (b) hereof, shall, in the case of a security which has not matured or become redeemable pursuant to a call for redemption, issue a substitute marked "duplicate" and showing the serial number of the original security; or shall, in the case of a security which has matured or become redeemable pursuant to a call for redemption, make payment thereof to the owner, with such interest only as would have been paid had the security been presented when it became due and payable: *Provided*, That in the case of an interim certificate relief may be given by the issue of a definitive security, whether before or after maturity, rather than

Issuance of duplicate. Indemnity bond.

Payment, if security has matured.

*Provided*. Interim certificates.

Attached interest coupons.

Indemnity bond to be filed.

*Proviso.*  
Corporate surety required if security payable to bearer, etc.

28 Stat. 279.  
6 U. S. C. §§ 6-13.

Bond not required in cases designated.

Loss, etc., while in custody of United States.

Postal Service excepted.

Where entire security presented and surrendered.

Where security is transferable only by operation of law.

Owner is a State, etc.

*Proviso.*  
Exception.

"Interest-bearing security of the United States" or "security", defined.

Administrative rules, etc.

Sections of Revised Statutes repealed.  
R. S. §§ 3702-3705.  
31 U. S. C. §§ 735-738.

Section amended.  
R. S. § 3646.  
31 U. S. C. § 528.

Lost, destroyed, etc., checks, duplicates to be issued.

by the issue of a substitute or by payment: *And provided further*, That no payment shall be made on account of interest coupons claimed to have been attached to such original security unless the Secretary is satisfied that such coupons have not been paid, and are in fact destroyed or can never become the basis of a valid claim against the United States.

(b) Except as hereinafter provided, the owner of such lost, stolen, destroyed, mutilated, or defaced security shall file with the Secretary of the Treasury a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require: *Provided*, That in case of securities payable to bearer or so assigned as to become, in effect, payable to bearer, the destruction of which has not been proved, a corporate surety, qualified under the provisions of the Act of August 13, 1894, as amended (U. S. C., 1934 edition, title 6, secs. 6-13), shall be required on such bond of indemnity: *And provided further*, That a bond of indemnity shall not be required in any of the following classes of cases, except as hereinafter provided:

(1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner and while the security was in the custody or the control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of this Act;

(2) If substantially the entire security is presented and surrendered by the owner and the Secretary of the Treasury is satisfied as to the identity of the security presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States;

(3) If the lost, stolen, destroyed, mutilated, or defaced security is one which by the provisions of law or by the terms of its issue is transferable only by operation of law;

(4) If the owner is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank:

*Provided, however*, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

(c) The term "interest-bearing security of the United States" or "security", wherever used in this section, means any direct obligation of the United States issued pursuant to law for valuable consideration and which by its terms bears interest, or is issued on a discount basis, and includes (but is not limited to) bonds, notes, certificates of indebtedness, and Treasury bills, and interim certificates issued for any such security.

(d) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of this section.

(e) Sections 3702, as amended, 3703, 3704, and 3705 of the Revised Statutes of the United States (U. S. C., title 31, secs. 735, 736, 737, and 738) are hereby repealed.

SEC. 9. Section 3646 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 31, sec. 528), as amended, is further amended to read as follows:

"(a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original

check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, persons authorized to issue such checks on behalf of the United States are authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, upon the receipt and approval by the Secretary of the Treasury of a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require; but no such substitute shall be payable if the original check shall first have been paid: *Provided, however,* That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be issued without limitation of time.

"(b) A bond of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as hereinafter provided: (1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of the Government Losses in Shipment Act; (2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; (3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States; (4) if the amount of the check is less than \$50 and the Secretary of the Treasury is satisfied that the giving of a bond of indemnity would be an undue hardship to the owner or holder; (5) if the owner or holder is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however,* That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

"(c) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

"(d) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, before the close of the fiscal year following the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided,* That when such original check does not exceed in amount the sum of \$50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the

Indemnity bond.

Condition of payment.  
*Proviso.*  
Time limitation waived in specified cases.

Indemnity bond not required in cases designated.

Loss, without fault of owner, and while check in U. S. custody, etc.

Substantially entire check presented, etc.

Original check not negotiable.

Check less than \$50 and giving bond would be undue hardship.

Owner is a State, etc.

*Proviso.*  
Indemnity bond.

Rules and regulations.

Post Office Department.  
Duplicates for lost, etc., original checks of.

Indemnity bond.

*Proviso.*  
Affidavit permitted in lieu, if sum less than \$50.

issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

Payment of substitutes.

48 Stat. 1235.  
31 U. S. C. § 725 (t).

“(e) Substitutes, marked as hereinabove provided, drawn on the Treasurer of the United States, shall, after the lapse of the period fixed by section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., 1934 edition, title 31, sec. 725 (t)), for the payment of the original checks, be payable only as the original checks would be payable thereunder.

“Original check” defined.

“(f) The term ‘original check’ wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States on its behalf against an account or funds of the United States, whether upon a bank or upon the Treasurer or other paying officer of the United States, but does not include money, coins, or currency of the United States nor instruments issued by any corporation or other entity owned or controlled by the United States, whether in whole or in part, against such corporation’s or entity’s own funds; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department.”

Short title.

SEC. 10. This Act may be cited as the “Government Losses in Shipment Act”.

Effective date.

SEC. 11. This Act shall become effective on July 1, 1937.

Approved, July 8, 1937.

#### [CHAPTER 445]

#### AN ACT

July 8, 1937

[H. R. 7206]

[Public, No. 193]

To permit the temporary entry into the United States under certain conditions of alien participants and officials of the World Association of Girl Guides and Girl Scouts Silver Jubilee Camp to be held in the United States in 1937.

Girl Guides and  
Girl Scouts Silver  
Jubilee Camp, 1937.  
Temporary entry of  
alien participants, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That alien Girl Guides and Girl Scouts participants, officials, and executives who are accredited members of delegations to the Silver Jubilee Camp to be held in the United States in 1937, all of whom are nonimmigrants, if otherwise admissible into the United States under the immigration laws, shall be exempted from payment of the tax of \$8 prescribed by section 2 of the Immigration Act of 1917 and exempted from the fees prescribed by law to be collected in connection with executing an application for a visa and visaing the passport or other travel document of an alien for the purpose of entering the United States as a nonimmigrant, and such aliens shall not be required to present official passports issued by the governments to which they owe allegiance: *Provided*, That aliens shall be in possession of official Girl Guide or Girl Scout identity cards issued by their own governments or issued by the World Association of Girl Guides and Girl Scouts indicating their Girl Guide or Girl Scout status and nationality, and duly visaed without charge by American consular officers abroad: *And provided further*, That such aliens shall comply with regulations not inconsistent with the foregoing provisions which shall be prescribed by the Secretary of Labor and Secretary of State: *Provided, however*, That nothing herein shall relieve an alien from being required to obtain a gratis nonimmigration visa if coming to the United States as a nonimmigrant, or an immigration visa if coming to the United States as an immigrant.

Exemption from  
tax, etc.  
39 Stat. 875.  
8 U. S. C. § 132.  
Visa, etc., fees  
waived.

Passports.

*Provisos.*  
Identification re-  
quired.

Compliance with  
prescribed regula-  
tions.

Obtaining of visas  
by aliens.

SEC. 2. That such aliens shall be permitted free entry of their personal effects and their equipments to be used in connection with the Silver Jubilee Camp, under such regulations as may be prescribed by the Secretary of the Treasury.

Free entry of personal effects.

Approved, July 8, 1937.

[CHAPTER 468]

AN ACT

Validating and confirming certain mineral patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of Montana.

July 8, 1937

[H. R. 7021]

[Public, No. 194]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That those certain mineral patents heretofore issued by the President of the United States, under the mineral laws of the United States, upon the quartz-lode, placer-mining, and mill-site claims described as follows: The Minneapolis Placer Numbered 1, survey numbered 64, except that part thereof within and conflicting with the southwest<sup>1</sup> quarter, section 15, township 5 south, range 15 east, Montana principal meridian; the Millsite, survey numbered 63-F; the Stillwater Placer Numbered 1, survey numbered 71, except as to that portion thereof within and conflicting with the west half southwest quarter, section 28, and the northeast quarter northeast quarter, section 32, township 5 south, range 15 east, Montana principal meridian; Rough Rock, survey numbered 63-B; Stillwater, survey numbered 63-E; Something, survey numbered 72-B; Mountain View, survey numbered 63-A; Red Bird, survey numbered 63-C; Big Thing, survey numbered 63-D; Rough Rock Numbered 2, survey numbered 72-A; Brooklyn, survey numbered 69-A; Avalanche, survey numbered 69-B; Bald Eagle, survey numbered 69-D; Cataract, survey numbered 69-C; New Wabelisky, survey numbered 68-B; Summit, survey numbered 68-A; Perseverance, Emerald, Blue Jay, Copper Bottom, and Ridge Lode mining and mill-site claims, designated by the Surveyor General as lots numbered 70-A, 70-B, 70-C, 70-D, 70-E, and 70-F, respectively, in the Stillwater mining district, township 5 south, range 15 east, Montana principal meridian, in the counties of Stillwater and Sweet Grass, State of Montana, which lands were, at the time the said patents were issued, described, as or assumed to be situate in township 7 south, range 16 east, Montana principal meridian, then unsurveyed, but were in fact situate in township 5 south, range 15 east, Montana principal meridian, be, and the said mineral patents and the titles conveyed thereby are, hereby validated and confirmed.

Montana.  
Certain mineral  
patents heretofore  
issued, validated and  
confirmed.  
Description.

Approved, July 8, 1937.

[CHAPTER 469]

AN ACT

To provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes.

July 9, 1937

[H. R. 5394]

[Public, No. 195]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to acquire, by purchase when purchaseable at prices deemed by him reasonable—otherwise by condemnation under the provisions of the Act of August 1, 1888, on behalf of the United States under any fund or moneys available

Yosemite National  
Park, Calif.  
Lands added.  
Condemnation pro-  
ceedings.  
25 Stat. 357.  
40 U. S. C. § 257.  
Post, p. 764.

<sup>1</sup> So in original.

Description.

Proviso.  
Existing rights not affected.  
Federal Water Power Act of 1920.  
Provisions not to apply.  
41 Stat. 1063.  
16 U. S. C. §§ 791-823.

July 9, 1937  
[H. R. 6144]  
[Public, No. 196]

Canal Zone Code, amendments.  
48 Stat. 1122.

Air navigation.  
Control over aviation activities.

President to make rules, etc., governing aircraft, facilities, etc.

Penalty for violation.

Administration of oaths.

for such purpose, at the time of the passage of this Act, except from the general fund of the Treasury, any of the following-described lands in the State of California now in private ownership, to wit: Section 25, lots 3, 4, 5, 8, and 9, section 34, northeast quarter, southeast quarter of the northwest quarter, lots 1 to 10, inclusive, section 35, section 36, township 1 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, southeast quarter, lots 2, 3, and 4, section 30, section 31, township 1 south, range 20 east; sections 1, 2, and 3, east half section 10, sections 11 and 12, north half section 14, northeast quarter section 15, township 2 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, lots 3 to 7, inclusive, section 6, township 2 south, range 20 east, Mount Diablo meridian.

SEC. 2. When title to the aforesaid privately owned lands has been vested in the United States, all of the lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing in this Act shall be construed to affect any valid existing rights.

SEC. 3. The provisions of the Act approved June 10, 1920, as amended, known as the Federal Water Power Act, shall not apply to any of the lands added to the Yosemite National Park pursuant to the provisions of this Act.

Approved, July 9, 1937.

[CHAPTER 470]

AN ACT

To amend the Canal Zone Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end of said chapter a new section numbered 14 and reading as follows:

“14. Air navigation: The Government of the United States is hereby declared to possess, to the exclusion of all foreign nations, sovereign rights, power, and authority over the air space above the lands and waters of the Canal Zone. Until Congress shall otherwise provide, the President is authorized to make rules and regulations and to alter and amend the same from time to time governing aircraft, air navigation, air-navigation facilities, and aeronautical activities within the Canal Zone. Any person who shall violate any of the rules or regulations issued in pursuance of the authority contained in this section shall be punishable by a fine of not more than \$500, or by imprisonment in jail for not more than one year, or by both.”

SEC. 2. That chapter 3 of title 2, Canal Zone Code, relative to administering oaths and summoning witnesses, is amended by adding at the end of said chapter a new section numbered 44 and reading as follows:

“44. Administering oaths in inquests and in deportation proceedings: Officers of the Panama Canal designated by the Governor or by his authority to act as coroner and deputy coroners and authorized to hold inquests in the Canal Zone, and officers designated by such authority to conduct hearings in reference to the exclusion and deportation of persons from the Canal Zone, are hereby authorized to administer oaths in the conduct of such proceedings.”

SEC. 3. That section 81 of title 2 of the Canal Zone Code is amended so as to read as follows:

"81. Appointment, removal, and compensation of necessary persons: All persons, other than the Governor of the Panama Canal, necessary for the care, management, maintenance, sanitation, government, operation, and protection of the Canal and Canal Zone shall—

"(a) Be appointed by the President or by his authority;

"(b) Be removable at the pleasure of the President; and

"(c) Receive such compensation as shall be fixed by the President or by his authority until such time as Congress may by law regulate the same;

and such persons shall be employed and shall serve under such conditions of employment, including matters relating to transportation, medical care, quarters, leave and the commutation thereof, and office hours and hours of labor, as have been or shall hereafter be prescribed by the President: *Provided, however*, That salaries or compensation fixed by the President hereunder shall in no instance exceed by more than 25 per centum the salary or compensation paid for the same or similar services to persons employed by the Government in continental United States: *And provided further*, That nothing contained in this section shall affect the application to employees of the Panama Canal of the provisions of section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522)."

Approved, July 9, 1937.

Personnel; appointment, removal, compensation, service, etc.

*Provides.*  
Salary restriction.

Weekly compensation of mechanics.

48 Stat. 522.

#### [CHAPTER 471]

##### AN ACT

To amend Public Act Numbered 467, Seventy-third Congress, entitled "Federal Credit Union Act."

July 9, 1937

[H. R. 6287]

[Public, No. 197]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Federal Credit Union Act is amended by inserting at the end thereof the following new section:

"Sec. 21. Upon application by any credit union organized under State law or by any Federal credit union organized in accordance with the terms of this Act, the membership of which is composed exclusively of Federal employees and members of their families, which application shall be addressed to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which said credit union or Federal credit union does business, such officer or agency may in his or its discretion allot space to such credit union if space is available without charge for rent or services."

Approved, July 9, 1937.

Federal Credit Union Act, amendment.

48 Stat. 1216.

12 U. S. C. §§ 1751-1770.

Space in Federal buildings for Federal employee credit unions.

#### [CHAPTER 472]

##### AN ACT

To amend the stamp provisions of the Bottling in Bond Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first and fourth paragraphs of section 1 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 edition, Supp. II, title 26, sec. 1276), are designated "(1)" and "(6)", respectively, and the second and third paragraphs of said section are amended to read as follows:

"(2) Every bottle when filled shall have affixed thereto and passing over the mouth of the same a stamp denoting the quantity of

July 9, 1937

[H. R. 6737]

[Public, No. 198]

Internal revenue. Bottling of distilled spirits in bond.

29 Stat. 626; 49 Stat. 1944.

26 U. S. C., Supp. II, § 1276.

Bottle stamps.



distilled spirits contained therein and evidencing the bottling in bond of such spirits under the provisions of this Act, and of regulations prescribed hereunder.

Regulations.

"(3) The Commisisoner<sup>1</sup> of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe (a) regulations with respect to the time and manner of applying for, issuing, affixing, and destroying stamps required by this section, the form and denominations of such stamps, applications for purchase of the stamps, proof that applicants are entitled to such stamps, and the method of accounting for receipts from the sale of such stamps, and (b) such other regulations as the Commissioner shall deem necessary for the enforcement of this Act.

Accounting.

Issuance of stamps.

"(4) Such stamps shall be issued by the Commissioner of Internal Revenue to each collector of internal revenue, upon his requisition in such numbers as may be necessary in his district, and, upon compliance with the provisions of this Act and regulations issued hereunder shall be sold by collectors to persons entitled thereto, at a price of 1 cent for each stamp, except that in the case of stamps for containers of less than one-half pint, the price shall be one-quarter of 1 cent for each stamp.

Brands, etc., on cases.

"(5) And there shall be plainly burned, embossed, or printed on the side of each case, to be known as the Government side, such marks, brands, and stamps to denote the bottling in bond of the whisky packed therein as the Commissioner may by regulations prescribe."

Approved, July 9, 1937.

#### [CHAPTER 473]

#### JOINT RESOLUTION

July 9, 1937  
[S. J. Res. 88]  
[Pub. Res., No. 52]

Providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939, and for other purposes.

Golden Gate International Exposition, 1939.  
Preamble.

Whereas there is to be held in the city of San Francisco during the year 1939 a world's fair and celebration commemorating the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and designed to gather, arrange, and exhibit the varied cultures of the countries tributary to the Pacific Ocean and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of the Pacific area of the United States, and the nations of the world;

Whereas a site for the exposition, an island of four hundred acres, municipally owned and located in the center of San Francisco Bay, is now nearing completion, and the San Francisco Bay Exposition, Incorporated, will expend not less than \$24,500,000 on its improvement; said site, upon the close of the exposition to become a municipal airport serving the entire metropolitan San Francisco Bay district, and forming an adjunct of vast importance to national defense; and

Whereas such world fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established a Commission, to be known as the United States Golden Gate International Exposition Commission and to be com-

Commission established.  
Name, composition, service, etc.

<sup>1</sup> So in original.

posed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives and three Members of the Senate to be appointed by the President of the Senate; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of San Francisco during the year 1939.

SEC. 2. There shall be a United States Commissioner for the Golden Gate International Exposition, who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 per annum, and one Assistant Commissioner for said Golden Gate International Exposition, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed \$7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioner, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the Golden Gate International Exposition as the Commission may determine, for the duration of the Golden Gate International Exposition, and for not more than six months after the official closing thereof.

SEC. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Golden Gate International Exposition by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to the growth and development of civilization on the American continents and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the historic growth and nature of American institutions, particularly as regards their adaptation to the needs of the people.

SEC. 4. In carrying out the purposes of this joint resolution, the Commission is authorized—

(a) To appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants, and to engage by contract or otherwise such other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation of exhibits plans: *Provided, however,* That for similar services, the pay shall not be in excess of that provided by the Classification Act of 1923, as amended.

(b) To erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, and to provide for the landscaping of the site or sites thereof: *Provided,* That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931 (46 Stat. 1494), shall be paid; to rent such space in the District of Columbia or elsewhere, without regard to section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem necessary; and to provide for the decoration and maintenance of buildings, structures, sites, and grounds during the period deemed necessary by the Commission.

(c) To use funds appropriated under authority of the joint resolution to pay salaries of employees of other Government agencies detailed or loaned for duty with the Commission at rates not in excess of the rates received in the agency from which detailed or

United States Commissioner.  
Appointment, salary, etc.

Assistant Commissioner.

Funds for expenses.

Duties and powers of Commissioner.

Exhibits of executive departments, etc.

Powers of Commission enumerated.

Appointment of personnel.  
5 U. S. C. §§ 661-674.  
Contract services.

*Proviso.*  
Limitation.

Building construction, landscaping, etc.

*Proviso.*  
Prevailing rate of wages to be paid.

46 Stat. 1494.  
40 U. S. C. § 276a.

Rent.  
47 Stat. 412, 1517.  
40 U. S. C. § 40a.  
Decoration, maintenance, etc.

Salaries of detailed employees; limitation.

Books of reference, periodicals, etc.

Vehicles.

Printing and binding.

Entertainment.

Insurance.

Allotments.

Delegation of powers, etc.

Cooperation of executive departments, etc.

Loan of exhibits.

Draftsmen, etc.

Return of property at close.

Preparation of reports.

Disposition of property.

Sum authorized.  
*Post*, p. 759.

loaned; to purchase books of reference, newspapers, and periodicals, payment for which, and for telephone service, rents, and similar items, may be made in advance; to purchase, hire, maintain, repair, and operate passenger-carrying vehicles for use of the Commissioner and Assistant Commissioner without regard to the statutory restrictions upon the price for new cars or the amounts which may be expended for maintenance, repair, and operation; to have printing and binding done elsewhere than at the Government Printing Office in the discretion of the Commission; to entertain distinguished guests; to provide for reimbursement of expenses of travel by airplane when deemed necessary notwithstanding the cost may exceed the cost by rail; to provide for insurance on privately owned exhibits loaned to the Commission; to purchase ice and drinking water for use in buildings and offices; to purchase uniforms for guards and attendants; and to incur such other expenses as may be deemed necessary to the fulfillment of the purposes of this joint resolution.

(d) To allot funds appropriated for the purposes of this resolution to any executive department, independent office, or establishment of the Government with the consent of the head thereof, for direct expenditure in executing the duties or functions delegated by the Commission.

(e) To delegate any of its powers and authority, in its discretion, and any power or authority vested in the Commissioner by this resolution or delegated to him may be delegated or subdelegated by him to the Assistant Commissioner or to any other person or persons in the employ of the Commission or detailed to it.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the San Francisco Bay Exposition, Incorporated, sponsors of the Golden Gate International Exposition, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such Golden Gate International Exposition, to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary, to contract for labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or independent offices and establishments to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and independent offices and establishments concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the Commission and the departments or independent offices and establishments concerned, make such disposition thereof as he may deem advisable and account therefor.

SEC. 6. The sum of \$1,500,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of this joint resolution, and shall remain avail-

able until expended; except that, upon the termination of the Commission, any unexpended or unobligated balances shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decorations of such buildings or structures, and for the proper maintenance of such buildings or structures, sites, and grounds during the period deemed necessary by the Commission: *Provided*, That the facilities of the Public Buildings Branch, Procurement Division, Treasury Department, may be utilized in the preparation of plans, drawings, designs, specifications, and estimates, the execution of contracts, and the supervision of construction in connection with any buildings or structures erected for Federal exhibits and for other purposes: *Provided further*, That funds designated for the foregoing construction purposes may be available for transfer to and expenditure by the Procurement Division, Treasury Department, to the extent and at such times as may be deemed necessary by the Director of Procurement to permit him to carry out such work as the Commission shall deem advisable to be contracted for in that manner. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, maid, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, repair, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibits and in the exhibits of the Golden Gate International Exposition; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, water, and automobile, and for per diem in lieu of actual subsistence at not to exceed \$5 per day: *Provided further*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed, plus such reasonable allowance to officers and enlisted men of the armed forces for additional uniforms and equipment required by participation in the Golden Gate International Exposition, including alterations, laundering, cleaning, and pressing thereof, as deemed proper by the Commissioner; for telephone service, purchase or rental of furniture and equipment, stationery, and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications, and ice and electric refrigeration and drinking water for office pur-

Balances covered in.

Building construction, landscaping, etc.

Rental of space.  
47 Stat. 412.  
40 U. S. C. § 40a.

Decorations, maintenance of buildings, etc.

*Provisos.*  
Preparation of plans, etc.; assistance of Procurement Division.

Transfer of funds permitted.

Authorized funds available for designated expenses.

Salary limitation.

Miscellaneous expenses.

Payments in advance.

Supervision of expenditures, etc.

Delegation of functions.

Allotment of funds to executive departments, etc.

Approval of vouchers, etc.; exception.

Audits.

Wage rate for construction work.  
40 U. S. C. § 276a.

Acceptance of contributions.

Disposal of material etc., at close.

Provisions.  
Auction sales.

Discretionary transfer of buildings to city, etc.

poses: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated, may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate, except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, as amended, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

SEC. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases, the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer, with or without consideration, the title to the Federal Exhibits Building or Buildings erected or constructed to the city and county of San Francisco.

The Commissioner, with the approval of the Commission and in cooperation with the Secretary of the Interior, may make provision for participation in the exposition by the Indian citizens of the United States. For this purpose the Commission may allot funds appropriated under authority of this joint resolution as may be necessary for the erection of buildings, the employment of supervisory and other personnel without regard to the civil-service laws and regulations and to fix their salaries in accordance with the Classification Act of 1923, as amended, and for all other expenses incident thereto, as the Commission shall deem advisable to be contracted for in that manner.

Participation by Indian citizens.

SEC. 8. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the world's fair, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Report to Congress.

Termination of Commission.

Approved, July 9, 1937.

#### [CHAPTER 474]

#### JOINT RESOLUTION

Authorizing Federal participation in the New York World's Fair 1939.

July 9, 1937  
[H. J. Res. 379]  
[Pub. Res., No. 53]  
New York World's  
Fair 1939.  
Preamble.

Whereas there is to be held in the city of New York during the year 1939 a world's fair and celebration commemorating the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York; and

Whereas the State and city of New York have provided a site and permanent public improvements adjacent to the site at an estimated cost of \$18,000,000 and New York World's Fair 1939 Incorporated proposes to make available for such world's fair through the sale of its debentures to the public or otherwise a sum not less than \$25,000,000; and

Whereas such world's fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established a Commission, to be known as the United States New York World's Fair Commission and to be composed of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives and three Members of the Senate to be appointed by the President of the Senate; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of New York during the observance in the year 1939 of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York.

Commission established.  
Name, composition, service, etc.

SEC. 2. There shall be a United States Commissioner for the New York World's Fair, who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 per annum, and two Assistant Commissioners, not of the same political party for

United States Commissioner, Assistants, and staff.

Funds for salaries  
and expenses.

Duties and powers  
of Commissioner.  
Exhibits of execu-  
tive departments, etc.

Services, materials,  
etc.

5 U. S. C. §§ 661-674.

Contract services.

*Proviso.*  
Delegation of pow-  
ers.

Cooperation of ex-  
ecutive departments,  
etc.

Loan of exhibits.

Draftsmen, etc.

Return of property  
after close.

Preparation of re-  
ports.

Disposition of prop-  
erty.

said New York World's Fair, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed \$7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioners, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the world's fair as the Commission may determine, for the duration of the world's fair, and for not more than six months after the official closing thereof.

SEC. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable in order that there may be exhibited at the New York World's Fair by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to this period of our history and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

SEC. 4. The Commission is authorized to appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants as may be necessary; purchase such materials, contract for such labor and other services as are necessary, including the preparation of exhibits plans: *Provided*, That the Commission may delegate such powers in its discretion. The Commissioner may exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated), as may be deemed advisable by the Commission, to the Assistant Commissioners or others in the employ of or detailed to the Commission.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the New York World's Fair, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such New York World's Fair; to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary; to contract for such labor or other services as shall be deemed necessary; and to designate officials or employees of their departments or branches to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and branches concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized therein; and if the return of such property is not feasible, he may, with the consent of the Commission and

the department or branch concerned, make such disposition thereof as he may deem advisable and account therefor.

SEC. 6. The sum of \$3,000,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this joint resolution, and shall remain available until expended; except that, upon the termination of the Commission, any unexpended or unobligated balance shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decoration of such buildings or structures, and for the proper maintenance of such buildings or structures, site, and grounds during the period deemed necessary by the Commission. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arranging, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the New York World's Fair; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioners, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed \$5 per day: *Provided*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioners in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished guests; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated,

Appropriation authorized.  
*Post*, p. 759.

Building construction, landscaping, etc.

Rental of space.  
47 Stat. 412.  
40 U. S. C. § 40a.

Decoration, maintenance of buildings, etc.

Authorized funds available for designated expenses.

*Proviso*.  
Salary limitation.

Miscellaneous expenses.

Advance payments.

Printing and binding.

Supervision of purchases, etc.

Delegation of powers.



Allotment of funds to executive departments, etc.

Approval of vouchers, etc.; exception.

Audit, etc., requirements.

Wage rate for construction work.  
40 U. S. C. § 276a.

Acceptance of contributions.

Disposal of material, etc., at close.

Proceeds.  
Auction sales.

Federal Exhibits Building, transfer to city of New York.

Report to Congress.

Termination of Commission.

may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment under such regulations as the Commission may promulgate, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

SEC. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer without consideration and <sup>1</sup> title to the Federal Exhibits Building erected or constructed to the city of New York.

SEC. 8. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the world's fair, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Approved, July 9, 1937.

<sup>1</sup> So in original.

## [CHAPTER 481]

## AN ACT

To amend section 460, chapter 44, title II, of the Act entitled "An Act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended.

July 10, 1937

[S. 2254]

[Public, No. 199]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 460, chapter 44, title II, of the Act entitled "An Act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, is amended by striking out the following paragraphs:

Alaska code of criminal procedure, amendments.  
30 Stat. 1336.

"Freight and passenger transportation lines, propelled by mechanical power registered in the Territory of Alaska, or not paying license or tax elsewhere, and river and lake steamers, as well as transportation lines doing business wholly within the Territory of Alaska, one dollar per ton per annum or <sup>1</sup> net tonnage, customhouse measurement, of each vessel.

License tax on shipping, paragraphs repealed.

"SHIPS AND SHIPPING: Ocean and coastwise vessels doing local business for hire plying in Alaskan waters, registered in Alaska or not paying license or tax elsewhere, one dollar per ton per annum on net tonnage, customhouse measurement, of each vessel."

SEC. 2. Nothing in this Act shall abrogate, limit, or curtail the powers granted the Territorial Legislature of Alaska to impose taxes or licenses, nor limit or curtail any powers granted to the Territorial Legislature of Alaska by the Act of Congress approved August 24, 1912, entitled "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative powers thereon, and for other purposes", or by any other Act of Congress.

Powers of Territorial Legislature not curtailed, etc.  
37 Stat. 514.

Approved, July 10, 1937.

## [CHAPTER 482]

## AN ACT

To amend the Hawaiian Homes Commission Act, 1920.

July 10, 1937

[S. 2620]

[Public, No. 200]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 203 (1), 203 (4), 204 (2), 207 (1), 208, 208 (1), 208 (5), 208 (6), 208 (7), 209 (1), 209 (2), 209 (3), 209 (4), 215 (1), 215 (2), 215 (3), 216, and 220 of the Hawaiian Homes Commission Act, 1920, be amended to read as follows:

Hawaiian Homes Commission Act, 1920, amendments.  
42 Stat. 109-114.  
48 U. S. C. § 691.

"SEC. 203. (1) On the island of Hawaii: Kamaoa-Puueo (eleven thousand acres, more or less), in the district of Kau; Puukapu (twelve thousand acres, more or less), Kawaihae 1 (ten thousand acres, more or less), and Pauahi (seven hundred and fifty acres, more or less), in the district of South Kohala; Kamoku-Kaupalena (five thousand acres, more or less), Waimanu (two hundred acres, more or less), and Nienie (seven thousand three hundred and fifty acres, more or less), in the district of Hamakua; fifty-three thousand acres to be selected by the Commission from the lands of Humuula Mauka, in the district of North Hilo; Panaewa, Waiakea (two thousand acres, more or less), Waiakea-kai, or Keaukaha (two thousand acres, more or less), and two thousand acres of agricultural lands to be selected by the Commission from the lands of Piihonua, in the district of South Hilo; and two thousand acres to be selected by the Commis-

Island of Hawaii, designated parcels added to jurisdiction of Commission.  
Description.

<sup>1</sup> So in original.

sion from the lands of Kaohe-Makuu, in the district of Puna; land at Keaukaha, Hawaii, more particularly described as follows:

Parcel I.

“Parcel I

“Now set aside as Keaukaha Beach Park by Executive Order Numbered 421, and being a portion of the Government land of Waiakea, South Hilo, Hawaii.

“Beginning at the southeast corner of this parcel of land, on the north side of Kalanianaʻole Road, the coordinates of said point of beginning referred to Government survey triangulation station ‘Halai’ being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths feet east, as shown on Government Survey Registered Map Numbered 2704, and running by true azimuths.

“1. Sixty-one degrees fifty-eight minutes one thousand three hundred and fifty-one and seventy-three one-hundredths feet along the north side of Kalanianaʻole Road (fifty feet wide);

“2. One hundred and fifty-one degrees fifty-eight minutes eight hundred and forty feet along United States military reservation for river and harbor improvements (Executive Order Numbered 176);

“Thence along the seashore at high-water mark, the direct azimuths and distances between points at seashore being:

“3. Two hundred and eighty-two degrees no minutes four hundred and sixty-eight and fifty one-hundredths feet;

“4. Three hundred and thirteen degrees twenty minutes four hundred and forty-one feet;

“5. Two hundred and sixty degrees twenty minutes one hundred and forty feet;

“6. Two hundred and forty-two degrees twenty minutes two hundred and fifty feet;

“7. One hundred and eighty-eight degrees forty minutes sixty feet;

“8. Two hundred and seventy-two degrees twenty minutes one hundred and seventy feet;

“9. Two hundred and five degrees no minutes sixty feet;

“10. One hundred and ten degrees twenty minutes two hundred and twenty feet;

“11. Ninety degrees fifty minutes eighty feet;

“12. One hundred and sixty-two degrees no minutes one hundred and seventy feet;

“13. Two hundred and fifty degrees thirty minutes four hundred and thirty feet;

“14. Three hundred and thirty-one degrees fifty-eight minutes three hundred and eighty feet along parcel II of Government land to the point of beginning and containing an area of eleven and twenty one-hundredths acres, more or less.

Parcel II.

“Parcel II

“Being a portion of the Government land of Waiakea, South Hilo, Hawaii, and located on the north side of Kalanianaʻole Road and adjoining parcel I, hereinbefore described.

“Beginning at the south corner of this parcel of land, on the north side of Kalanianaʻole Road, the coordinates of said point of beginning referred to Government survey triangulation station ‘Halai’, being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths feet east and running by true azimuths:

"1. One hundred and fifty-one degrees fifty-six minutes three hundred and eighty feet along the east boundary of parcel I;

"2. Two hundred and twenty-nine degrees forty-five minutes thirty seconds one hundred and ninety-one and one one-hundredth feet;

"3. One hundred and ninety-eight degrees no minutes two hundred and thirty feet to a one-and-one-half-inch pipe set in concrete;

"4. Three hundred and seven degrees thirty-eight minutes five hundred and sixty-two and twenty-one one-hundredths feet to a one-and-one-half-inch pipe set in concrete;

"5. Twenty-eight degrees no minutes one hundred and twenty-one and thirty-seven one-hundredths feet to the north side of Kalanianaʻole Road;

"6. Sixty-one degrees fifty-eight minutes four hundred and eighty-three and twenty-two one-hundredths feet along the north side of Kalanianaʻole Road to the point of beginning and containing an area of five and twenty-six one-hundredths acres, more or less.

"SEC. 203. (4) On the island of Oahu: Nanakuli (three thousand acres, more or less), and Lualualei (two thousand acres, more or less), in the District of Waianae; and Waimanalo (four thousand acres, more or less), in the District of Koolaupoko, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwailimu, Kewalo, and Kalawahine described by metes and bounds as follows, to wit:

"(I) Portion of the Government land at Auwailimu, Punchbowl Hill, Honolulu, Oahu, described as follows:

Auwailimu,  
Punchbowl Hill,  
Honolulu, Oahu.

"Beginning at a pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwailimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being one thousand one hundred and thirty-five and nine-tenths feet north and two thousand five hundred and fifty-seven and eight-tenths feet east as shown on Government Survey Registered Map Numbered 2692, and running by true azimuths:

"1. One hundred and sixty-three degrees thirty-one minutes two hundred and fifty-seven and eight-tenths feet along the east side of Punchbowl-Makiki Road;

"2. Ninety-four degrees eight minutes one hundred and twenty-four and nine-tenths feet across Tantalus Drive and along the east side of Puuowaina Drive;

"3. One hundred and thirty-one degrees thirteen minutes two hundred and thirty-two and five-tenths feet along a twenty-five-foot roadway;

"4. One hundred and thirty-nine degrees fifty-five minutes twenty and five-tenths feet along same;

"5. One hundred and sixty-eight degrees seventeen minutes two hundred and fifty-seven and eight-tenths feet along Government land (old quarry lot);

"6. One hundred and fifty-six degrees thirty minutes three hundred and thirty-three feet along same to a pipe;

"7. Thence following the old Auwailimu stone wall along L. C. award 3145 to Laenui, grant 5147 (lot 8 to C. W. Booth), L. C. award 1375 to Kapule, and L. C. award 1355 to Kekuanoni, the direct azimuth and distance being two hundred and forty-nine degrees forty-one minutes one thousand three hundred and three and five-tenths feet;

"8. Three hundred and twenty-one degrees, twelve minutes, six hundred and ninety-three feet along the remainder of the land of Auwailimu;

Kewalo, Punch-  
bowl Hill, Honolulu,  
Oahu.

"9. Fifty-one degrees, twelve minutes, one thousand and four hundred feet along the land of Kewalo to the point of beginning; containing an area of twenty-seven acres; excepting and reserving therefrom Tantalus Drive and Auwaiolimu Street crossing this land;

"(II) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows:

"Beginning at the northeast corner of this lot, at a place called 'Puu Ea' on the boundary between the lands of Kewalo and Auwaiolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being three thousand two hundred and fifty-five and six-tenths feet north and five thousand two hundred and forty-four and seven-tenths feet east, as shown on Government Survey Registered Map Numbered 2692 of the Territory of Hawaii, and running by true azimuths:

"1. Three hundred and fifty-four degrees thirty minutes nine hundred and thirty feet along the remainder of the land of Kewalo, to the middle of the stream which divides the lands of Kewalo and Kalawahine;

"2. Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being forty-nine degrees sixteen minutes one thousand five hundred and twelve and five-tenths feet;

"3. One hundred and forty-one degrees twelve minutes eight hundred and sixty feet along the remainder of the land of Kewalo;

"4. Two hundred and thirty-one degrees twelve minutes five hundred and fifty-two and six-tenths feet along the land of Auwaiolimu to 'Puu Iole';

"5. Thence still along the said land of Auwaiolimu following the top of the ridge to the point of beginning, the direct azimuth and distance being two hundred and thirty-two degrees twenty-six minutes one thousand four hundred and seventy feet and containing an area of thirty acres; excepting and reserving therefrom Tantalus Drive crossing this land;

"(III) Portion of the land of Kalawahine situate mauka or northeast of Roosevelt High School, Honolulu, Oahu.

"Being portion of L. C. award 11215, Apana 2, to Keliiahonui conveyed by W. M. Giffard to the Territory of Hawaii by deed dated February 1, 1907, and recorded in Liber 291, page 1.

"(Being portion of the lands set aside for the Hawaiian Homes Commission by the Seventy-third Congress by Act Numbered 227, approved May 16, 1934.)

"Beginning at the south corner of this parcel of land and near the east corner of Roosevelt High School lot, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being twenty-five and two one-hundredths feet south and four thousand one hundred and seventeen and thirty-nine one-hundredths feet east as shown on Government survey registered map numbered 2985 and running by azimuths measured clockwise from true south:

"1. One hundred and twenty-eight degrees fifty-four minutes seven hundred and six and thirteen one-hundredths feet along Roosevelt High School lot, and passing over a pipe at six hundred and eighty-four and thirteen one-hundredths feet;

"2. Thence up along the middle of stream in all its turns and windings along the land of Kewalo-uka to the south corner of Hawaiian Home land (Presidential Executive Order Numbered

Parcel northeast of  
Roosevelt High  
School.

48 Stat. 777.  
48 U. S. C. §§ 697,  
701, 704a.

5561), the direct azimuth and distance being two hundred and thirteen degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"3. Thence continuing up along the middle of stream in all its turns and windings along the land of Kewalo-uka (Presidential Executive Order Numbered 5561), to the south side of Tantalus Drive realinement, the direct azimuth and distance being two hundred and twenty-eight degrees twenty-nine minutes ten seconds one thousand three hundred and ninety-one feet;

"4. Thence on a curve to the right with a radius of one hundred and twenty and seventy-eight one-hundredths feet along the southerly side of Tantalus Drive realinement (sixty feet wide), the direct azimuth and distance being three hundred and fifty-eight degrees twenty-one minutes one hundred and ninety-three and eighty one-hundredths feet;

"5. Fifty-one degrees forty-two minutes one hundred and ninety-three and thirty-five one-hundredths feet along the southerly side of Tantalus Drive realinement;

"6. Thence on a curve to the left with a radius of three hundred and thirty feet, along same, the direct azimuth and distance being twenty-five degrees twenty-three minutes ten seconds two hundred and ninety-two and fifty-eight one-hundredths feet;

"7. Twenty-two degrees fifty-three minutes two hundred and ninety-one and ninety-three one-hundredths feet along the southerly side of Tantalus Drive realinement and along the west side of Kalawahine Slope lots;

"8. Thence on a curve to the left with a radius of three hundred and five and sixty one-hundredths feet along the west side of the Kalawahine Slope lots, the direct azimuth and distance being six degrees twenty-one minutes thirty seconds one hundred and seventy-three and eighty-five one-hundredths feet;

"9. Three hundred and forty-nine degrees fifty minutes forty-seven feet along the west side of the Kalawahine Slope lots;

"10. Thence on a curve to the right with a radius of five hundred and twenty feet along same and along Territorial land, the direct azimuth and distance being seventeen degrees thirty-one minutes four hundred and eighty-three and eighteen one-hundredths feet;

"11. Three hundred and fifteen degrees twelve minutes seventy-five feet along Territorial land;

"12. Forty-five degrees twelve minutes six hundred and eleven and two one-hundredths feet along the northwest side of a twenty-foot road reserve;

"13. Thirty-four degrees four minutes thirty seconds three hundred and thirty-six and ninety-six one-hundredths feet along same to the point of beginning and containing an area of thirty-one and sixty one-hundredths acres.

"(IV) Portion of the Hawaiian Experiment Station under the control of the United States Department of Agriculture, situate on the northeast side of Auwaiolimu Street.

Portion of Hawaiian  
Experiment Station.

#### "Kewalo-uka, Honolulu, Oahu

"Being a portion of the land of Kewalo-uka conveyed by the Territory of Hawaii to the United States of America by proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901, and August 16, 1901, and a portion of the United States Navy hospital reservation described in Presidential Executive Order Numbered 1181, dated March 25, 1910.

"Beginning at the west corner of this parcel of land, on the Auwaiolimu-Kewalo-uka boundary and on the northeast side of Auwaiolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being one thousand two hundred and thirty and fifty-eight one-hundredths feet north and two thousand six hundred and seventy-five and six one-hundredths feet east as shown on Government Survey Registered Map Numbered 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-one degrees twelve minutes one thousand two hundred and forty-eight and twenty-six one-hundredths feet along the land of Auwaiolimu;

"2. Three hundred and twenty-one degrees twelve minutes eight hundred and sixty feet along Hawaiian Home Land as described in Presidential Executive Order Numbered 5561;

"3. Thence down along the middle of stream in all its turns and windings along the land of Kalawahine to the north corner of Roosevelt High School lot, the direct azimuth and distance being thirty-three degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"Thence still down along the middle of stream for the next seven courses along the Roosevelt High School premises, the direct azimuth and distances between points in middle of said stream being:

"4. Twenty-three degrees forty minutes twenty-eight and ninety one-hundredths feet;

"5. Eight degrees no minutes one hundred and fifteen feet;

"6. Three hundred and thirty-seven degrees fifty minutes forty-eight feet;

"7. Two degrees thirty minutes sixty feet;

"8. Forty-nine degrees forty minutes fifty-two feet;

"9. Forty-six degrees six minutes ninety and seventy one-hundredths feet;

"10. Ninety-two degrees forty-three minutes ninety-five and sixty one-hundredths feet; thence

"11. Eighty-three degrees thirty-eight minutes seventy-one and sixty-three one-hundredths feet along Territorial land to the northeast side of Auwaiolimu Street;

"12. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street along land described in Presidential Executive Order Numbered 1181, dated March 25, 1910, the direct azimuth and distance being one hundred and seventy-two degrees twenty-nine minutes thirty-five seconds one hundred and sixty-four and thirty-nine one-hundredths feet;

"13. Thence continuing on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street, the direct azimuth and distance being one hundred and sixty degrees fifty minutes forty-eight seconds three hundred and twelve and seventy-five one-hundredths feet;

"14. Two hundred and twenty-four degrees fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along the Quarry Reservation (Territory of Hawaii, owner);

"15. One hundred and ten degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"16. Ninety-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"17. Fifty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along same;

"18. One hundred and forty-two degrees thirty minutes four hundred and twenty-four and sixty-eight one-hundredths feet along the northeast side of Auwaiolimu Street to the point of beginning and containing an area of twenty-seven and ninety one-hundredths acres; excepting and reserving therefrom that certain area included in Tantalus Drive, crossing this land.

"(V) Portion of Kewalo-uka Quarry Reservation. Situate on the northeast side of Auwaiolimu Street.

Portion of Kewalo-uka Quarry Reservation.

"Kewalo-uka, Honolulu, Oahu

"Being land reserved by the Territory of Hawaii within the Hawaii Experiment Station under the control of the United States Department of Agriculture, as described in proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901.

"Beginning at the northwest corner of this parcel of land and on the northeast side of Auwaiolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being eight hundred and ninety-three and sixty-six one-hundredths feet north and two thousand nine hundred and thirty-three and fifty-nine one-hundredths feet east as shown on Government Survey Registered Map Numbered 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along the Hawaii Experiment Station under the control of the United States Department of Agriculture;

"2. Two hundred and seventy-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"3. Two hundred and ninety degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"4. Forty-four degrees fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along same to the northeast side of Auwaiolimu Street;

"5. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street, the direct azimuth and distance being one hundred and forty-seven degrees fifty-one minutes thirteen seconds two hundred and nineteen and fifty one-hundredths feet;

"6. One hundred and forty-two degrees thirty minutes one hundred and thirty-four and fifty-five one-hundredths feet along the northeast side of Auwaiolimu Street;

"7. Two hundred and thirty-two degrees thirty minutes twenty feet along same;

"8. One hundred and forty-two degrees thirty minutes seventy-one and fifty-seven one-hundredths feet along same to the point of beginning and containing an area of four and six hundred and forty-six one-thousandths acres.

"SEC. 204. (2). Any available land, including land selected by the Commission out of a larger area, as provided by this Act, as may not be immediately needed for the purposes of this Act, may be returned to the Commissioner of Public Lands and may be leased by him as provided in subdivision (d) of section 73 of the Organic Act; any lease of Hawaiian homelands hereafter entered into shall contain a withdrawal clause, and the lands so leased shall be withdrawn by the Commissioner of Public Lands, for the purposes of this Act, upon the Commission giving at its option, not less than one nor

Leased lands.

Withdrawal clause modified.



*Proviso.*  
Minimum period to  
be stated in lease.

more than five years' notice of such withdrawal: *Provided*, That the minimum withdrawal-notice period shall be specifically stated in such lease.

Leases to natives.

"SEC. 207 (1). (a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract of Hawaiian homelands within the following acreage limits per each lessee: (1) Not less than one nor more than forty acres of agricultural lands; or (2) not less than one hundred nor more than five hundred acres of first-class pastoral lands; or (3) not less than two hundred and fifty nor more than one thousand acres of second-class pastoral lands: *Provided, however*, That lots of not more than one acre of any class of land may be leased as residence lots. The Commission is also authorized to grant licenses for terms of not to exceed twenty-one years in each case, to public-utility companies or corporations as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like.

Agricultural and  
pastoral lands, acreage  
limits.

*Proviso.*  
Residence lots.  
Public utilities,  
easements.

Conditions im-  
posed.

"SEC. 208 (1). The original lessee shall be a native Hawaiian, not less than twenty-one years of age. In case two lessees either original or in succession marry, they shall choose the lease to be retained, and the remaining lease shall be transferred or canceled in accordance with the provisions of succeeding sections.

Transfer, etc., re-  
strictions.

"SEC. 208 (5). The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person or group of persons or organizations of any kind, except a native Hawaiian or Hawaiians, and then only upon the approval of the Commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Hawaiian or Hawaiians approved of by the Commission, or for any indebtedness due the Commission or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon.

Not subject to at-  
tachment, etc.

Payment of taxes.

"SEC. 208 (6). The lessee shall pay all taxes assessed upon the tract and improvements thereon. The Commission may in its discretion pay such taxes and have a lien therefor as provided by section 216 of this Act.

Other conditions.

"SEC. 208 (7). The lessee shall perform such other conditions, not in conflict with any provision of this title, as the Commission may stipulate in the lease: *Provided, however*, That an original lessee shall be exempt from all taxes for the first five years from date of lease.

*Proviso.*  
Tax exemption pro-  
visions.

Succession to in-  
terests of deceased  
lessees.

"SEC. 209 (1). Upon the death of the lessee his interest in the tract and the improvements thereon, including growing crops, either on the tract or in any collective contract or program, shall vest and be determined in the following manner. A lessee shall furnish the Commission, in writing, the name or names of such person or persons being a qualified native Hawaiian or Hawaiians, within the limits prescribed in the following sequence of succession, to whom he wishes his interest in the lease to be transferred after his death, this designation to be subject to the approval of the Commission: (1) In the widow or widower; (2) if there is no widow or widower, then in the children; (3) if there are no children, then in the widows or widowers of the children; (4) if there are no such widows or widowers, then in the grandchildren; (5) if there are no grandchildren, then in the brothers and sisters; (6) if there are no brothers or

Sequence of suc-  
cession.

sisters, then in the widows or widowers of the brothers and sisters; (7) if there are no such widows or widowers of the brothers or sisters, then in the nephews and nieces.

"In the absence of such designation the Commission shall choose a qualified native Hawaiian or Hawaiians in accordance with the foregoing sequence, either individually or collectively, except that such successor or successors need not be twenty-one years of age.

"Upon the death of a lessee, or the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and said growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness due the Commission, or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, from the previous lessee. Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned.

"SEC. 209 (2). After the cancelation of a lease by the Commission in accordance with the provisions of sections 210 and 216 of this title, or the surrender of a lease by a lessee, the Commission is authorized to transfer the lease or to issue a new lease to any qualified Hawaiian regardless of whether or not he is related in any way by blood or marriage to the previous lessee.

"SEC. 209 (3). After the death of a lessee, a successor or successors as defined in section 208 of this title shall not during a period of not less than six months nor more than two years, the exact length of such period to be fixed by the Commission, be deemed to have violated any of the conditions enumerated in section 208 of this title, even though he is not a native Hawaiian and does not during this period, on his own behalf, occupy or use or cultivate the tract as a home or farm in accordance with the provisions of this title and the stipulations and provisions contained in the lease.

"SEC. 209 (4). Should any successor or successors to a tract be a minor or minors, the Commission may appoint a guardian therefor, subject to the approval of the court of proper jurisdiction. Such guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold: *Provided*, That said guardian shall, in so representing such successor or successors, comply with the provisions of this title and the stipulations and provisions contained in the lease, except that said guardian may not be a native Hawaiian as defined in section 201 of this title.

"SEC. 215 (1). Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee of a tract of agricultural or pastoral land shall not exceed \$3,000, and to any lessee of a residence lot shall not exceed \$1,000: *Provided*, That where, upon the death of a lessee or the cancelation of a lease by the Commission or the surrender of a lease by the lessee, the Commission shall make the appraisal and payment provided by section 209 (1), the amount of such payment shall be considered as part or all, as the case may be, of any such loan without limitation as to the maximum amounts herein specified in this section.

"SEC. 215 (2). The loans shall be repaid upon an amortization plan by means of a fixed number of annual installments sufficient

Commission to choose in absence of designation.

Appraisal of improvements, crops, etc.

Cancelations for violations of conditions; transfer or issuance of new lease.

Use of land by successor upon death of lessee.

Appointment of guardian if successor be a minor.

*Proviso.*  
Requirements.

Loan contracts.

*Proviso.*  
Appraisal and payment upon death of lessee, etc.

Amortization.

Use of receipts. Postponement permitted.	to cover (a) interest on the unpaid principal at the rate of 3 per centum per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding thirty years. The moneys received by the Commission from any installment paid upon such loan shall be covered into the fund. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the Commission, be postponed in whole or in part by the Commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of 3 per centum per annum on the unpaid principal and interest.
Provisions in case of borrower's death, etc.	"SEC. 215 (3). In case of the borrower's death the Commission shall permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancelation of a lease by the Commission or the surrender of a lease by a lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section.
Insurance of property.	"SEC. 216. The Commission may require the borrower to insure, in each amount as the Commission may by regulation prescribe, all livestock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the Commission may directly take out such insurance and add the cost thereof to the amount of annual installments payable under the amortization plan. Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest in the tract as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition the Commission may declare all annual installments immediately due and payable, notwithstanding any provision in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's or lessee's interest in his tract, growing crops, either on the tract or in any collective contract or program, dwellings, or other permanent improvements thereon, and his livestock, to the amount of all annual installments due and unpaid and of all taxes upon such tract and improvements paid by the Commission, and of all indebtedness of the lessee, the payment of which has been assured by the Commission. Such lien shall have priority over any other obligation for which the tract, said growing crops, dwellings, other improvements, or livestock may be security.
Hearings on violation of conditions.	
Immediate payment if proved.	
Lien on property.	
Enforcement of lien.	"The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract, or his successor's interest therein, as the case may be, together with the said growing crops, dwellings, and other permanent improvements thereon, and the livestock, to be forfeited, the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the livestock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revert in the Commission, and the Commission may take possession of the tract and the improvements and growing crops thereon: <i>Provided</i> , That the Commission shall pay to the borrower any difference which may be due him after the
Land to revert in Commission.	
Proviso. Payment of difference to borrower.	

appraisal provided for in paragraph (1) of section 209 of this title has been made.

SEC. 220. The Commission is hereby authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands, and to undertake other activities having to do with the economic and social welfare of the homesteaders. The Legislature of the Territory is authorized to appropriate out of the Treasury of the Territory such sums as it deems necessary to provide the Commission with funds sufficient to execute such projects, to carry on its administration and maintenance activities, and to accumulate a revolving loan fund of \$1,000,000. The Legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated."

Approved, July 10, 1937.

[CHAPTER 483]

AN ACT

To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general obligation bonds in the sum of \$1,750,000 for the purpose of enabling it to construct main interceptors and trunk lines and to meet its share of expenses for the construction and extension of laterals under improvement district assessments for a sanitary sewer system in the city and county of Honolulu.

SEC. 2. The bonds issued under authority of this Act may be either term or serial bonds, maturing, in the case of term bonds, not later than thirty years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

SEC. 3. Any legislation enacted by the Legislature of the Territory of Hawaii in its 1937 session pertaining to the issuance of sewer bonds, as authorized by this Act, is hereby ratified and confirmed subject to the provisions of this Act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the disposition<sup>1</sup> of unexpended moneys realized from the sale of said bonds.

Approved, July 10, 1937.

<sup>1</sup> So in original.

Water and other development projects.

Legislature authorized to appropriate necessary funds.

Bonds authorized.

July 10, 1937  
[S. 2621]

[Public, No. 201]

Hawaii. Legislature may authorize Honolulu to issue sewer bonds.

Amount.

Character of bonds, maturity, etc.

Approval of President not required.

Confirmation of legislative acts.

*Proviso.* Changes allowed; disposition of balances.

[CHAPTER 484]

AN ACT

July 10, 1937

[S. 2622]

[Public, No. 202]

To authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes.

Hawaii.  
Legislature may  
create public corporate  
authority to engage  
in slum clearance.  
Members, powers,  
etc., of authority.

Loans, donations,  
etc., authorized.

Bonds.

Not to constitute  
public indebtedness,  
etc.

31 Stat. 150.

48 U. S. C. § 562.

49 Stat. 516.  
48 U. S. C., Supp.  
II, §§ 562d, e.

Confirmation of  
Legislature's acts

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the Territory of Hawaii may create a public corporate authority to engage in slum clearance, or housing undertakings, or both, within such Territory. The Legislature of said Territory may provide for the appointment and terms of the members of such authority and for the powers of such authority, except that such authority shall be given no power of taxation. The legislature may authorize the Territory or any political or municipal corporation or subdivision thereof to make loans, donations, and conveyances and make available their facilities and services to such authority, and to take other action in aid of slum clearance or housing undertakings, and may, without regard to any Federal Acts restricting the disposition of public lands of the Territory, authorize the commissioner of public lands, the Hawaiian Homes Commissioners, and any other officers of the Territory having power to manage and dispose of its public lands, to grant, convey, or lease to such authority parts of the public domain, and may provide that any of the public domain or other property acquired by such authority may be mortgaged by it as security for its bonds. The Legislature of said Territory may authorize such authority to issue bonds or other obligations of such character and maturity and in such manner as the legislature may provide. Such bonds shall not be a debt of the Territory or any political or municipal corporation or subdivision thereof, shall not constitute public indebtedness within the meaning of section 55 of the Act approved April 30, 1900, entitled "An Act to provide a government for the Territory of Hawaii", as amended, and shall not constitute bonds of the Territory of Hawaii within the meaning of the Act approved August 3, 1935, entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes." All legislation heretofore enacted by the Legislature of the Territory of Hawaii dealing with the subject matter of this Act and not inconsistent herewith is hereby ratified and confirmed.

Approved, July 10, 1937.

[CHAPTER 485]

AN ACT

July 10, 1937

[S. 2652]

[Public, No. 203]

To enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes.

Hawaii.  
Bond issue, amount,  
purposes, etc.

Character of bonds,  
maturity, payments,  
etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,029,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1937, entitled "An act to provide for public improvements."

Such bonds may be either term or serial bonds, maturing, in the case of the term bonds, not later than thirty years from the date of issue thereof, and, in the case of the serial bonds, payable in sub-

stantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years, from the date of such issue. And said act of said legislature is hereby ratified and confirmed, subject to the provisions of this Act: *Provided, however*, That nothing herein contained shall be deemed to prohibit the amendment of said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, and that said bonds may be issued without the approval of the President of the United States.

Approved, July 10, 1937.

Legislative act confirmed.

*Proviso.*  
Changes allowed;  
disposition of bal-  
ances.

#### [CHAPTER 486]

##### AN ACT

To amend an Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935.

July 10, 1937

[S. 2653]

[Public, No. 204]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first paragraph of section 2 of the Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, is hereby amended to read as follows:

Hawaii.  
Bond issue for pub-  
lic works.  
49 Stat. 517.  
48 U. S. C., Supp.  
II, § 562e.

"Sec. 2. That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,803,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1935, entitled 'An act to provide for public improvements and for the securing of Federal funds for expenditure in connection with funds hereby appropriated for such improvements', as amended by act 23, Session Laws of Hawaii, 1937."

Time limitation  
modified.

Approved, July 10, 1937.

#### [CHAPTER 487]

##### AN ACT

To amend the Canal Zone Code.

July 10, 1937

[H. R. 4507]

[Public, No. 205]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 62 of title 2 of the Canal Zone Code approved June 19, 1934 (48 Stat. 1122), is hereby amended to read as follows:

Canal Zone Code,  
amendments.  
48 Stat. 1122.

"62. OFFENSES IN RELATION TO ENTRY OR IMPORTATION OF ARTICLES OR MERCHANDISE.—Any person who shall—

Offenses in relation  
to entry, etc., of arti-  
cles or merchandise.

"(a) Enter or import, or attempt to enter or import, any articles or merchandise into the Canal Zone before the entry or importation of such articles or merchandise has been approved by the proper officers of the Canal Zone;

"(b) Pass, or attempt to pass, any false, forged, or fraudulent invoice, bill, or other paper, for the purpose of securing the entry or importation of any articles or merchandise into the Canal Zone in violation of the rules and regulations established under the authority of the next preceding section; or

"(c) Violate any of the rules and regulations established under the authority of the next preceding section;

"Shall be punished by a fine of not more than \$100 or by imprisonment in jail for not more than thirty days, or by both."

Penalty.

Roads, highways,  
and vehicles.

SEC. 2. That section 323 of title 2 of the Canal Zone Code, relative to the violation of regulations governing roads, highways, and self-propelled vehicles, is amended to read as follows:

Violation of regula-  
tions; punishment.

"323. VIOLATION OF REGULATIONS; PUNISHMENT.—Any person who violates any rule or regulation established under the authority of the two next preceding sections shall be punished by a fine of not more than \$100 or by imprisonment in jail for not more than thirty days, or by both."

Marriages.

SEC. 3. That paragraph (a) of section 61 of title 3, Canal Zone Code, is amended to read as follows:

Application for and  
issuance of license; fee.

"61. APPLICATION FOR AND ISSUANCE OF LICENSE; FEE.—(a) No marriage shall be celebrated in the Canal Zone unless a license to marry has first been secured from the office of the clerk of the district court in either division. In cases where both parties to a proposed marriage are residents of the Republic of Panama and neither is an American citizen, no license shall issue in the Canal Zone unless the parties have previously obtained a license to marry from the proper authorities in the Republic of Panama. No marriage license shall be issued to a leper except upon a certificate of approval by the chief health officer of the Canal Zone. All licenses when issued shall be accompanied by a marriage certificate to be executed by the person celebrating the marriage."

Loan of money.

SEC. 4. That article 3, chapter 39, title 3, Canal Zone Code, relative to loan of money, is amended by adding at the end of said article a new section numbered 1270 and reading as follows:

Interest of judg-  
ments.

"1270. INTEREST OF JUDGMENTS.—Judgments shall bear interest at the rate of 6 per centum per annum from the date of entry thereof."

Textual correction.

SEC. 5. That section 1312 of title 3 of the Canal Zone Code is amended by substituting the word "default" for the word "defraud" appearing in the proviso in said section.

Process in divorce  
actions.

SEC. 6. That paragraph (b) of section 182, title 4, Canal Zone Code, relative to process in proceedings for divorce, is amended to read as follows:

Service of summons  
by publication.

"(b) Upon application of the plaintiff, accompanied by the affidavit required by subdivision (c), if the summons has not been served as provided in subdivision (a), the court, or the judge thereof, shall enter an order directing service of a summons by publication if it appears to the satisfaction of such court or judge—

"(1) That the defendant cannot be found in the Canal Zone; and  
"(2) That a proper cause for divorce is alleged in favor of the plaintiff."

Motor vehicles.

SEC. 7. That article 2, chapter 11, title 5, Canal Zone Code, relative to crimes in relation to motor and other vehicles, is amended by adding at the end of said article a new section numbered 514 and reading as follows:

Reckless driving  
causing bodily injury.

"514. DRIVING MOTOR VEHICLE RECKLESSLY CAUSING BODILY INJURY.—Any person who shall operate a motor vehicle recklessly, thereby causing great bodily injury to the person of another, shall be punishable by imprisonment in jail for not more than one year or by a fine of not more than \$1,000, or by both."

Bail upon being  
held to answer before  
information.

SEC. 8. That section 571 of title 6 of the Canal Zone Code, relative to bail upon being held to answer before information, is amended to read as follows:

Admission to.

"571. ADMISSION TO BAIL IN SUCH CASE.—When the defendant has been held to answer upon a preliminary hearing for a public offense, the admission to bail may be by the magistrate by whom he is so held, or by any judge who has power to issue the writ of habeas corpus. The power of the said magistrate to admit to bail in such case shall extend to the time of filing of an information, and the

magistrate shall likewise have power either to increase or reduce the amount of such bail in the manner provided in section 582 of this title.

SEC. 9. That section 43 of title 7 of the Canal Zone Code is amended to read as follows:

"43. PUBLIC DEFENDER.—The Governor of the Panama Canal shall appoint a duly qualified member of the bar of the Canal Zone as a public defender, whose duty it shall be to represent, in the district court, any person charged with the commission of a crime within the original jurisdiction of that court who is unable to employ counsel for his defense. The public defender shall receive such compensation, and such of the privileges of a Canal employee, as shall be fixed and granted by the President or by his authority."

Public defender.

Compensation, etc.

SEC. 10. That section 222 of title 2 of the Canal Zone Code is hereby amended to read as follows:

Panama Railroad Company.

"222. CARRIAGE BY PANAMA RAILROAD COMPANY OF MARINE AND FIRE INSURANCE.—The Panama Railroad Company shall carry no insurance to cover marine or fire losses: *Provided*, That this section shall not prohibit the company from carrying insurance to cover shipments of its own funds and securities."

Carriage of insurance by.

*Provido.*  
Shipments of own funds, etc.

Approved, July 10, 1937.

#### [CHAPTER 488]

#### JOINT RESOLUTION

Authorizing the disposal of certain lands held by the Panama Railroad Company on Manzanillo Island, Republic of Panama.

July 10, 1937.  
[H. J. Res. 41]  
[Pub. Res., No. 54]

Whereas the treaty of November 18, 1903, between the United States and the Republic of Panama vested in the Government of the United States certain reversionary rights and interests in the lands situated on Manzanillo Island, Republic of Panama, which lands are held by the Panama Railroad Company; and

Panama Railroad Company.  
Preamble.  
33 Stat. 2234.

Whereas certain of the said lands are no longer needed for the purposes of the United States: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Panama Railroad Company be, and is hereby, authorized to sell, and convey in whole or in part, at public or private sale, at not less than the appraised value to be fixed as hereinafter provided, all of its right, title, and interest in and to the lands situated within that portion of Manzanillo Island, Republic of Panama, lying within the area bounded by a line described as follows:

Lands held by, on Manzanillo Island; sale authorized.

Beginning at the point where the Canal Zone-Republic of Panama (city of Colon) boundary line intersects the western shore line of the arm of Manzanillo Bay known as "Boca Chica" or "Folks River"; thence following the Canal Zone-city of Colon boundary line northerly to Eleventh Street and westerly on Eleventh Street to the center of Front Avenue; thence northerly along the center of Front Avenue and its prolongation to the center of Second Street; thence easterly along the center of Second Street to the center of Melendez Avenue ("G" Street); thence southerly along the center of Melendez Avenue to the center of Seventh Street; thence easterly along the center of Seventh Street to the center of Roosevelt Avenue; thence southerly along the center of Roosevelt Avenue to the center of Ninth Street; thence easterly along the center of Ninth Street to the shore line of Manzanillo Bay; thence southerly along the shore line of Manzanillo Bay to the intersection with the center of Eleventh Street prolonged; thence westerly along the center of Eleventh Street to the center of Melendez Avenue; thence southerly along the center of Melendez

Description.



Avenue to the center of Sixteenth Street; thence easterly along the center of Sixteenth Street to the shore line of Folks River; thence southerly, westerly, northwesterly, and southerly along the shore line of Folks River to the point of beginning; excepting, however, lot 22, block 26, as shown on Panama Canal drawing 2021-6, and lot 1189, as shown on Panama Canal drawing 7/019, which lie within the said area.

Board of appraisers,  
designation of.

Periodic appraise-  
ments.

Grant of certain  
lands to United States  
to effect exchange  
with Republic of Pan-  
ama.

Conveyance to re-  
lease reversionary  
rights.

Deposit of net pro-  
ceeds from sales.

SEC. 2. The Secretary of War shall designate a board of three appraisers, who shall appraise the value of each tract or lot within the said area separately, and file the same with the president of the Panama Railroad Company. From time to time, at intervals of not less than one year, the Secretary of War, if deemed advisable by him, may, through a similar board, order a reappraisalment of the unsold tracts. Such appraisalment and any reappraisalment shall be open to public inspection.

SEC. 3. The Panama Railroad Company is also authorized, with the approval of the President of the United States to convey in whole or in part all its right, title, and interest in and to the said lands, in exchange for a grant by the Republic of Panama to the United States of all the rights, power, and authority within various other areas situated on Manzanillo Island which the United States would possess and exercise if it were the sovereign of the territory included within the said areas, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

SEC. 4. Any conveyance of any lot or tract by the Panama Railroad Company, as aforesaid, shall be deemed to release any and all reversionary rights of the United States in said property.

SEC. 5. The Panama Railroad Company shall, on or before August 16, 1937, deposit the net proceeds from sales of the land in question in the Treasury of the United States to the credit of "Miscellaneous receipts."

Approved, July 10, 1937.

[CHAPTER 494]

AN ACT

To extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 29, 1930 (46 Stat. 468), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government, is hereby amended to include all other employees in the legislative branch and all officers and employees of any of the courts of the United States who are not entitled to the benefits of any other retirement Act whose tenure of employment is not intermittent nor of uncertain duration.*

SEC. 2. The provisions of such Act of May 29, 1930, shall not be applicable to any employee in the legislative branch who is brought within its scope by section 1 of this Act until such employee gives notice in writing to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, and shall not be applicable to any officer or employee of any court of the United States who is brought within its scope by section 1 of this Act until such officer or employee gives notice in writing to the disbursing officer by whom the salary of such officer or employee is paid that

July 13, 1937  
[H. R. 2901]  
[Public, No. 206]

Civil Service Retirement Act, amend-  
ments.  
Benefits of, extend-  
ed to certain employ-  
ees in the legislative  
and judicial branches.  
46 Stat. 468.  
5 U. S. C. §§ 891-738.

Provisions inappli-  
cable unless notice of  
acceptance given.

he or she desires to come under the provisions of such Act of May 29, 1930. Such notice must be given, in the case of any such employee in the service on the effective date of this Act, within six months from such effective date, and in the case of any such employee entering the service after the effective date of this Act, within six months from the date of such entrance: *Provided*, That in the case of any such employee whose salary or any part thereof is paid by the disbursing officer of the Senate such notice may be given at any time, and such employee shall come under the provisions of such Act of May 29, 1930, at the beginning of the sixth month after the giving of such notice.

No such employee whose salary or any part thereof is paid by the disbursing officer of the Senate shall make any deposit required by section 9, or any redeposit required by subsection (b) of section 12, of such Act of May 29, 1930, and there shall not be deducted and withheld from the basic salary, pay, or compensation of any such employee the sum required to be deducted and withheld by section 10 of such Act of May 29, 1930, unless and until such employee shall have completed fifteen years of service: *Provided*, That before any such employee may derive any of the benefits provided by such Act of May 29, 1930, he shall be required to deposit an amount equal to the following sums: (1) The sum which would have been deducted and withheld from his basic salary, pay, or compensation but for the foregoing provisions of this paragraph, together with interest on such sum computed at the rate of 4 per centum per annum compounded on June 30 of each fiscal year; (2) any sum required to be deposited under the provisions of section 9 of such Act of May 29, 1930; and (3) any sum required to be redeposited under the provisions of subsection (b) of section 12 of such Act of May 29, 1930: *Provided further*, That should any such employee who shall have served for a total period of not less than five years become totally disabled for useful and efficient service, within the meaning of section 6 of such Act of May 29, 1930, before completing fifteen years of service, he shall be entitled to the benefits provided by such section 6, upon deposit of the amount required to be deposited under the preceding proviso.

SEC. 3. The provisions of section 2 of such Act of May 29, 1930, and of section 204 of the Economy Act of June 30, 1932, and any Executive orders pursuant thereto, relating to automatic separation, shall not apply to any officer or employee to whom the provisions of such Act are extended by this Act, nor hereafter to employees of the office of the Architect of the Capitol.

SEC. 4. The term "employee in the legislative branch" where used in this Act shall also include (a) officers elected by the Senate or House of Representatives who are not members of either body, (b) the legislative counsel of the Senate and the legislative counsel of the House and the employees in their respective offices, (c) the Capitol Police force, (d) the employees of the Joint Committee on Printing and the Joint Committee on Internal Revenue Taxation, and (e) clerks to Members of the Senate, clerks to Members of the House of Representatives, clerks and employees to the several committees of the House and Senate, and all other employees.

SEC. 5. In computing annuitable service, all employment prior to July 1, 1919, as clerk to a Representative, Delegate, or Resident Commissioner in his representative capacity shall be recognized as employment in the legislative branch if and when such employment can be shown by records or secondary evidence, and in the case of applications heretofore awarded or denied such cases shall be imme-

Time limitation.

*Proviso.*  
Employees paid by Senate disbursing officer; acceptance and when effective.

Deposit, salary deduction, etc., contingent upon service period.

46 Stat. 475, 476.

*Proviso.*  
Deposits.

Total disability after 5 years' service.

Automatic separation.  
Exemption from designated provisions.  
46 Stat. 469; 47 Stat. 404.

"Employee in the legislative branch" construed.

Computing annuitable service.  
Employment as clerk to Representative, etc., prior to July 1, 1919, recognized in.

diately reopened and readjudicated on the above basis from the date of separation, this provision to become effective from the date of the approval of this Act.

Effective date.

SEC. 6. This Act shall take effect on October 1, 1937.

Approved, July 13, 1937.

[CHAPTER 500]

AN ACT

Making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937.

July 16, 1937  
[H. R. 7865]  
[Public, No. 207]

Extension of Ap-  
propriations Act, 1938,  
provisions continued  
in force during last  
half of July 1937.  
*Ante*, p. 468.

*Proviso.*  
Proportionate  
amounts only to be  
expended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the Act entitled "An Act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations", approved July 1, 1937, are extended and continued in full force and effect for and during the last half of the month of July 1937: *Provided*, That notwithstanding section 3 of such Act, the amount to be expended out of any appropriation provided by this Act for such last half of the month of July 1937 may equal, but shall not exceed, one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

Approved, July 16, 1937.

[CHAPTER 506]

JOINT RESOLUTION

Making an appropriation for the control of outbreaks of insect pests.

July 17, 1937  
[H. J. Res. 431]  
[Pub. Res., No. 55]

Insect pest control.  
Appropriation for.  
*Ante*, pp. 57, 120.

Availability.  
*Provisos.*  
State cooperation.

Supervision of ex-  
penditures.

Transporting con-  
trol materials.

Procurements.

R. S. § 3709.  
41 U. S. C. § 5.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That for carrying out the purposes of and for expenditures authorized under the public resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs", approved April 6, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to remain available until June 30, 1938: *Provided*, That in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for control of grasshoppers, Mormon crickets, or chinch bugs in any State until such State has provided the organization or materials and supplies necessary for cooperation: *Provided further*, That this appropriation shall be expended under the personal supervision and direction of the Secretary of Agriculture, who shall make a detailed report to the Secretary of the Senate and the Clerk of the House of Representatives of the several items of expenditure made hereunder: *Provided further*, That transportation of control materials purchased under this appropriation shall be under conditions and means determined by the Secretary of Agriculture as most advantageous to the Federal Government: *Provided further*, That procurements under this appropriation may be made by open-market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Approved, July 17, 1937.

## [CHAPTER 511]

## AN ACT

Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes.

July 19, 1937  
[H. R. 7493]  
[Public, No. 208]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes, namely:

War Department  
Civil Appropriation  
Act, 1938.

## QUARTERMASTER CORPS

Quartermaster  
Corps.

## CEMETERIAL EXPENSES

National cemeteries.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land; purchase of tools and materials; purchase of one motor-propelled hearse at a cost not to exceed \$3,150; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including the burial site of Pushmataha, a Choctaw Indian Chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., title 24, sec. 280a), and civilians interred in post cemeteries; recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U. S. C., title 10, sec. 916); for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, \$1,227,009, of which \$295,477 shall be available immediately: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Maintenance, im-  
provement, etc.

Vehicles.

Arlington, Va.

Plot in Congression-  
al Cemetery, D. C.

Roadways; restric-  
tion.

Headstones.  
20 Stat. 281; 34 Stat.  
56; 38 Stat. 768; 45  
Stat. 1307.  
24 U. S. C. §§ 279,  
280, 280a.

Recovery of bodies,  
etc.  
45 Stat. 251.  
10 U. S. C. § 916.

Monuments, etc., in  
Cuba and China.

Confederate ceme-  
teries, etc.

Sum immediately  
available.  
*Provisos.*  
Encroachments for-  
bidden.

Repairs restricted.

## SIGNAL CORPS

Signal Corps.

## ALASKA COMMUNICATION SYSTEM

For operation, maintenance, and improvement of the Alaska Communication System and for purchase, including exchange, of one motor-propelled passenger-carrying vehicle, and for operation and maintenance of vehicles of this character, \$166,338, to be derived from the receipts of the Alaska Communication System which have

Alaska Communi-  
cation System.

Operation, improve-  
ment, etc.

From receipts.

*Provided.*  
Report to Congress.

been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1939: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

## BUREAU OF INSULAR AFFAIRS

Insular Affairs Bureau.

Philippine Islands.

### UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

United States High Commissioner's office.

48 Stat. 456.  
48 U. S. C. § 1237 (4).  
Salaries and expenses.

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of law books and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, utilizing Government vessels whenever practicable; operation, maintenance, and repair of motor vehicles, and all other necessary expenses. \$148,200, of which amount not exceeding \$10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of \$10,000 and \$9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of \$100.

Travel, etc.

Vehicles.

Household, etc., expenses.

*Provided.*  
Legal adviser and financial expert.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Engineer Corps.

## CORPS OF ENGINEERS

Rivers and harbors.

### RIVERS AND HARBORS

Availability.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended:

Maintenance of existing works.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893 (U. S. C., title 33, sec. 661); for such works, hereby authorized, as may be necessary for the protection of the town of Collinsville, Alabama; for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for payment annually of tuition fees of not to exceed thirty-five student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as

Boundary, etc., waters, survey.

New York harbor.

California Débris Commission.  
27 Stat. 507.  
33 U. S. C. § 661.  
Protection of Collinsville, Ala.

Removing navigation obstructions.

Student officers at institutions.

amended (U. S. C., title 10, sec. 535); for examinations, surveys, and contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed \$197,971: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$128,000,000: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board for Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1938 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed \$3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

41 Stat. 785; 44 Stat. 705.  
10 U. S. C. § 535.  
Surveys, etc.  
Printing.

*Provisos.*  
Unauthorized projects forbidden.

Maintenance of harbor channels, outside of harbor lines.

Power-driven boats, restriction on use.

Permanent International Commission of the Congresses of Navigation.

#### FLOOD CONTROL

Flood control: For the construction of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936 (49 Stat. 1570-1595), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this Act, the purchase (not to exceed \$47,250) of motor-propelled passenger-carrying vehicles and motorboats for official use, and not to exceed \$500,000 for preliminary examinations and surveys of flood-control projects authorized by law, \$30,000,000, and, in addition, \$30,000,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937, shall be available exclusively for carrying out the provisions of such Flood Control Act, approved June 22, 1936, and shall be expended under the direction of the Chief of Engineers under the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936: *Provided*, That \$500,000 of this appropriation shall be transferred and made available to the Secretary of Agriculture for preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on the watersheds of flood-control projects authorized by law, including the employment of persons in the District of Columbia and elsewhere,

Flood control.

Public works on rivers and harbors.  
49 Stat. 1570.  
33 U. S. C., Supp. II, §§ 701a-702k.  
Printing and binding.

Vehicles.

Preliminary examinations, etc.

*Note*, p. 352.

*Provisos.*  
Allocation provisions waived.

Soil erosion, etc., watersheds of flood-control projects.

Services in the District.

purchase of books and periodicals, printing and binding, rent in the District of Columbia, the purchase (not to exceed \$30,000) of motor-propelled passenger-carrying vehicles and motorboats, and for other necessary expenses.

Projects authorized to be prosecuted.  
49 Stat. 1572.

Local contributions.

Reservoir project plans; modification to increase storage.

Return of excess contributions to States, etc.

Mississippi River and tributaries.  
45 Stat. 534; 49 Stat. 1508.  
33 U. S. C. § 702a; Supp. II, § 702a-1.

Funds available.

Division of expenditure.

*Proviso.*  
Allocation provisions waived.  
*Ante*, p. 352.  
49 Stat. 1570.  
33 U. S. C., Supp. II, §§ 701a-f.

Emergency fund for flood control.  
49 Stat. 1511.  
38 U. S. C., Supp. II, § 702g-1.

Sacramento River, Calif.  
39 Stat. 949; 45 Stat. 539.  
33 U. S. C. § 704.

The Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding to the first paragraph of section 5, a proviso reading as follows: "*Provided further*, That the Secretary of War is authorized to receive from States and political subdivisions thereof, such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized flood control work whenever such work and expenditure may be considered by the Secretary of War, on recommendation of the Chief of Engineers, as advantageous in the public interest, and the plans for any reservoir project may, in the discretion of the Secretary of War, on recommendation of the Chief of Engineers, be modified to provide additional storage capacity for domestic water supply or other conservation storage, on condition that the cost of such increased storage capacity is contributed by local agencies and that the local agencies agree to utilize such additional storage capacity in a manner consistent with Federal uses and purposes: *And provided further*, That when contributions made by States and political subdivisions thereof, are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Secretary of War, be returned to the proper representatives of the contributing interests."

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702a), as amended by the Flood Control Act approved June 15, 1936 (49 Stat. 1508), and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed \$56,300, \$22,500,000, and, in addition, \$22,500,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved May 15, 1928, as amended by such Flood Control Act, approved June 15, 1936, and of such additional amount, \$7,500,000 shall be in augmentation of the foregoing appropriation of \$22,500,000, and the remainder shall be expended under the direction of the Chief of Engineers subject to the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$300,000.

Flood control, Sacramento River, California: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the Flood Control Act approved May 15, 1928 (U. S. C., title 33, sec. 704), including not to exceed \$2,600 for the purchase of

motor-propelled passenger-carrying vehicles and motorboats, for official use, \$814,500.

Flood control, Lowell Creek, Alaska: For maintenance of flood-control works in accordance with the Act approved February 14, 1933 (47 Stat., p. 802), \$1,000.

Flood control, Salmon River, Alaska: For maintenance repairs to dikes in the flood-control works at the town of Hyder, Alaska, as authorized by the Act approved June 18, 1934 (48 Stat., p. 991), \$800.

### UNITED STATES SOLDIERS' HOME

- For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home Permanent Fund, \$804,456: *Provided*, That notwithstanding any other provisions of law, the administration, control, procurement, expenditure, accounting, audit, and methods thereof, of funds appropriated from the Soldiers' Home Permanent Fund (trust fund) shall be according to the laws governing and in effect prior to July 1, 1935, relating specifically to the United States Soldiers' Home, and in accordance with procedure followed prior to such date.

### THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding \$1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches

Lowell Creek, Alaska.  
47 Stat. 802.

Salmon River, Alaska.  
48 Stat. 991.  
33 U. S. C. § 705.

United States Soldiers' Home.  
Maintenance, etc.

*Provided.*  
Administration, etc., of funds.

The Panama Canal.

All expenses.

Objects specified.

Printing and binding.

Vehicles.

Damage claims.

Emergencies.

Public funds and securities, transportation and insurance.

Maintenance and operation.  
Governor's salary.  
Supplies, equipment, etc.



Payment to alien  
cripples.  
39 Stat. 750.  
5 U. S. C. § 793.

of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; in all, \$8,519,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Sanitation, etc.  
Support of insane,  
lepers, etc.  
Deportation ex-  
penses.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, \$918,000.

Chief quarantine  
officer.

Civil government  
expenses.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$1,131,760.

Availability.

Additional sums.

Total, Panama Canal, \$10,568,760, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1938 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Water, sewers, pave-  
ments, etc., Panama  
and Colon.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1938, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Major General  
George W. Goethals.  
Memorial, erection,  
etc., expenses.

Memorial to Major General George W. Goethals: For necessary expenses incident to the selection of the site, and preparation of plans and estimates of cost, for the erection of a memorial to Major General George W. Goethals within the Canal Zone, authorized by the Act approved August 24, 1935 (49 Stat. 743), including travel expenses of the members of the Goethals Memorial Commission appointed by the President under authority of said Act, and of the employees of said Commission; employment of an architect or architects without regard to the provisions of other laws applicable to the employment or compensation of officers and employees of the United States; stationery and supplies; and all other necessary expenses, \$5,000, to be available immediately and also for payment of expenses heretofore incurred in carrying out the purposes of such Act of August 24, 1935.

49 Stat. 743.

Availability.

SEC. 2. Three million dollars of the appropriation "Capital stock, Inland Waterways Corporation", are hereby repealed.

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 4. This Act may be cited as the "War Department Civil Appropriation Act, 1938".

Approved, July 19, 1937.

Inland Waterways Corporation, capital stock; repeal of appropriation.

Appropriations, etc., available from and including July 1, 1937.

Incurred obligations confirmed.

Short title.

## [CHAPTER 516]

### AN ACT

To extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years.

July 22, 1937

[H. R. 6763]

[Public, No. 309]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended (relating to reduction in interest rates on certain Federal land-bank loans), is amended by striking out the following: "occurring within a period of two years commencing July 1, 1935" and inserting in lieu thereof the following: "occurring within a period of three years commencing July 1, 1935, and shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of one year commencing July 1, 1938".

Federal land-bank loans.

Extension of reduced interest rate. 49 Stat. 1912.

(b) The fourth sentence of such paragraph "Twelfth" (relating to the time limit on payments made by the United States to land banks on account of such interest reduction) is amended to read as follows: "No payments shall be made to a bank with respect to any period after June 30, 1939."

Time limit on payments by U. S. to land banks extended.

SEC. 2. Section 32 of the Emergency Farm Mortgage Act, as amended (relating to loans by the Land Bank Commissioner), is amended by adding at the end thereof the following new paragraph:

Loans by Land Bank Commissioner. 48 Stat. 48.

"Notwithstanding the foregoing provisions of this section, the rate of interest on loans made under this section outstanding when this amendatory paragraph takes effect or made on or after such date, shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of two years commencing on the date when this amendatory paragraph takes effect."

Interest rate limitation.

W. B. BANKHEAD

*Speaker of the House of Representatives.*

KEY PITTMAN

*President of the Senate pro tempore.*

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

*July 13, 1937.*

The House of Representatives having proceeded to reconsider the bill (H. R. 6763) entitled "An Act to extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum

Certificate of the House of Representatives.

interest rate on Land Bank Commissioner's loans for a period of two years", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

SOUTH TRIMBLE  
*Clerk.*

I certify that this Act originated in the House of Representatives.

SOUTH TRIMBLE  
*Clerk.*

IN THE SENATE OF THE UNITED STATES,  
*July 22, 1937.*

Certificate of the  
Senate.

The Senate having proceeded to reconsider the bill (H. R. 6763) "An Act to extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years", returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was

*Resolved*, That the said bill, pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

EDWIN A. HALSEY  
*Secretary.*

[CHAPTER 517]

AN ACT

To create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as "The Bankhead-Jones Farm Tenant Act".

The Bankhead-  
Jones Farm Tenant  
Act.

Title I—Farm ten-  
ant provisions.

Power of Secretary  
of Agriculture.

Loans for acquisi-  
tion of farms, etc.

TITLE I—FARM TENANT PROVISIONS

POWER OF SECRETARY

SECTION 1. (a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized to make loans in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico to persons eligible to receive the benefits of this title to enable such persons to acquire farms.

(b) Only farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations shall be eligible to receive the benefits of this title. In making available the benefits of this title, the Secretary shall give preference to persons who are married, or who have dependent families, or, wherever practicable, to persons who are able to make an initial down payment, or who are owners of livestock and farm implements necessary successfully to carry on farming operations. No person shall be eligible who is not a citizen of the United States.

(c) No loan shall be made for the acquisition of any farm unless it is of such size as the Secretary determines to be sufficient to constitute an efficient farm-management unit and to enable a diligent farm family to carry on successful farming of a type which the Secretary deems can be successfully carried on in the locality in which the farm is situated.

#### COUNTY COMMITTEES AND LOANS

SEC. 2. (a) The County Committee established under section 42 shall—

(1) Examine applications (filed with the county agent in the county, or with such other person as the Secretary may designate) of persons desiring to finance the acquisition of farms in the county by means of a loan from the Secretary under this title.

(2) Examine and appraise farms in the county with respect to which an application for a loan is made.

(b) If the committee finds that an applicant is eligible to receive the benefits of this title, that by reason of his character, ability, and experience he is likely successfully to carry out undertakings required of him under a loan which may be made under this title, and that the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making of a loan with respect thereto will carry out the purposes of this title, it shall so certify to the Secretary. The committee shall also certify to the Secretary the amount which the committee finds is the reasonable value of the farm.

(c) No certification under this section shall be made with respect to any farm in which any member of the committee or any person related to such member within the third degree of consanguinity or affinity has any property interest, direct or indirect, or in which they or either of them have had such interest within one year prior to the date of certification.

(d) No loan shall be made to any person or with respect to any farm unless certification as required under this section has been made with respect to such person and such farm by the committee.

#### TERMS OF LOANS

SEC. 3. (a) Loans made under this title shall be in such amount (not in excess of the amount certified by the County Committee to be the value of the farm) as may be necessary to enable the borrower to acquire the farm and for necessary repairs and improvements thereon, and shall be secured by a first mortgage or deed of trust on the farm.

(b) The instruments under which the loan is made and security given therefor shall—

(1) Provide for the repayment of the loan within an agreed period of not more than forty years from the making of the loan.

(2) Provide for the payment of interest on the unpaid balance of the loan at the rate of 3 per centum per annum.

(3) Provide for the repayment of the unpaid balance of the loan, together with interest thereon, in installments in accordance with amortization schedules prescribed by the Secretary.

(4) Be in such form and contain such covenants as the Secretary shall prescribe to secure the payment of the unpaid balance of the loan, together with interest thereon, to protect the security,

County committees and loans.

*Post*, p. 529.

Powers, etc.

Amount and terms of loans.

Provisions to be incorporated.

and to assure that the farm will be maintained in repair, and waste and exhaustion of the farm prevented, and that such proper farming practices as the Secretary shall prescribe will be carried out.

(5) Provide that the borrower shall pay taxes and assessments on the farm to the proper taxing authorities, and insure and pay for insurance on farm buildings.

(6) Provide that upon the borrower's assigning, selling, or otherwise transferring the farm, or any interest therein, without the consent of the Secretary, or upon default in the performance of, or upon any failure to comply with, any covenant or condition contained in such instruments, or upon involuntary transfer or sale, the Secretary may declare the amount unpaid immediately due and payable, and that, without the consent of the Secretary, no final payment shall be accepted, or release of the Secretary's interest be made, less than five years after the making of the loan.

Prepayments.

(c) Except as provided in paragraph (6) of subsection (b), no instrument provided for in this section shall prohibit the prepayment of any sum due under it.

Agricultural compositions and extensions; repayment provisions. 47 Stat. 1470; 48 Stat. 925, 1289; 49 Stat. 942. 11 U. S. C. § 203; Supp. II, § 203.

(d) No provision of section 75, as amended, of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898 (U. S. C., 1934 ed., title 11, sec. 203; Supp. II, title 11, sec. 203), otherwise applicable in respect of any indebtedness incurred under this title by any beneficiary thereof, shall be applicable in respect of such indebtedness until such beneficiary has repaid at least 15 per centum thereof.

Equitable distribution of loans.

EQUITABLE DISTRIBUTION OF LOANS

SEC. 4. In making loans under this title, the amount which is devoted to such purpose during any fiscal year shall be distributed equitably among the several States and Territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary.

Avoidance of production expansion. 49 Stat. 1148. 16 U. S. C., Supp. II, § 500g.

AVOIDANCE OF PRODUCTION EXPANSION

SEC. 5. In carrying out this title, the Secretary shall give due consideration to the desirability of avoiding the expansion of production for market of basic commodities where such expansion would defeat the policy of Congress as set forth in section 7 (a) (5) of the Soil Conservation and Domestic Allotment Act, as amended, and shall, so far as practicable, assist beneficiaries of the program under this title to become established upon lands now in cultivation.

Appropriation authorized. Post, p. 762.

APPROPRIATION

SEC. 6. To carry out the provisions of this title, there is authorized to be appropriated not to exceed \$10,000,000 for the fiscal year ending June 30, 1938, not to exceed \$25,000,000 for the fiscal year ending June 30, 1939, and not to exceed \$50,000,000 for each fiscal year thereafter. Not more than 5 per centum of the sums appropriated for any fiscal year in pursuance of this section shall be available for administrative expenses in carrying out this title during such fiscal year.

Amount for administrative expenses.

Title II—Rehabilitation loans.

TITLE II—REHABILITATION LOANS

BORROWERS AND TERMS

Borrowers and terms.

SEC. 21. (a) Out of the funds made available under section 23, the Secretary shall have power to make loans to eligible individuals for the purchase of livestock, farm equipment, supplies, and for other

farm needs (including minor improvements and minor repairs to real property), and for the refinancing of indebtedness, and for family subsistence.

(b) Loans made under this section shall bear interest at a rate not in excess of 3 per centum per annum, and shall have maturities not in excess of five years, and may be renewed. Such loans shall be payable in such installments as the Secretary may provide in the loan agreement. All loans made under this title shall be secured by a chattel mortgage, a lien on crops, and an assignment of proceeds from the sale of agricultural products, or by any one or more of the foregoing.

(c) Only farm owners, farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations, and who cannot obtain credit on reasonable terms from any federally incorporated lending institution, shall be eligible for loans under this section.

Interest rate.

Security.

Persons eligible.

#### DEBT ADJUSTMENT

SEC. 22. The Secretary shall have power to assist in the voluntary adjustment of indebtedness between farm debtors and their creditors and may cooperate with and pay the whole or part of the expenses of State, Territorial, and local agencies and committees engaged in such debt adjustment. He is also authorized to continue and carry out undertakings with respect to farm debt adjustment uncompleted at the time when appropriations for the purpose of this section are first available. Services furnished by the Secretary under this section shall be without charge to the debtor or creditor.

Debt adjustment.

#### APPROPRIATION

SEC. 23. (a) For the fiscal year ending June 30, 1938, the balances of funds available to the Secretary for loans and relief to farmers, pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, which are unexpended on June 30, 1937, are authorized to be appropriated to carry out the provisions of this title.

Appropriation.  
Use of balances.

(b) The President is authorized to allot to the Secretary, out of appropriations made for relief or work relief for any fiscal year ending prior to July 1, 1939, such sums as he determines to be necessary to carry out the provisions of this title and to enable the Secretary to carry out such other forms of rehabilitation of individuals eligible under this title to receive loans as may be authorized by law and designated in the Executive order directing the allotment.

Allotments out of  
relief, etc., appropri-  
ations.

### TITLE III—RETIREMENT OF SUBMARGINAL LAND

#### PROGRAM

SEC. 31. The Secretary is authorized and directed to develop a program of land conservation and land utilization, including the retirement of lands which are submarginal or not primarily suitable for cultivation, in order thereby to correct maladjustments in land use, and thus assist in controlling soil erosion, reforestation, preserving natural resources, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public lands, health, safety, and welfare.

Title III—Retire-  
ment of submarginal  
land.Development of  
program of conserva-  
tion, etc.

#### POWERS UNDER LAND PROGRAM

SEC. 32. To effectuate the program provided for in section 31, the Secretary is authorized—

Powers under land  
program.

Acquisition of lands not suitable for cultivation, etc.

Reservations, etc.

Adapting land to most beneficial use.

Disposition of acquired property.

Grants for public purposes.

Cooperative program of land conservation, etc.

Rules and regulations.

Penalty for violation.  
R. S. § 5388.  
18 U. S. C. § 104.

Payments to counties.

(a) To acquire by purchase, gift, or devise, or by transfer from any agency of the United States or from any State, Territory, or political subdivision, submarginal land and land not primarily suitable for cultivation, and interests in and options on such land. Such property may be acquired subject to any reservations, outstanding estates, interests, easements, or other encumbrances which the Secretary determines will not interfere with the utilization of such property for the purposes of this title.

(b) To protect, improve, develop, and administer any property so acquired and to construct such structures thereon as may be necessary to adapt it to its most beneficial use.

(c) To sell, exchange, lease, or otherwise dispose of, with or without a consideration, any property so acquired, under such terms and conditions as he deems will best accomplish the purposes of this title, but any sale, exchange, or grant shall be made only to public authorities and agencies and only on condition that the property is used for public purposes. The Secretary may recommend to the President other Federal, State, or Territorial agencies to administer such property, together with the conditions of use and administration which will best serve the purposes of a land-conservation and land-utilization program, and the President is authorized to transfer such property to such agencies.

(d) With respect to any land, or any interest therein, acquired by, or transferred to, the Secretary for the purposes of this title, to make dedications or grants, in his discretion, for any public purpose, and to grant licenses and easements upon such terms as he deems reasonable.

(e) To cooperate with Federal, State, Territorial, and other public agencies in developing plans for a program of land conservation and land utilization, to conduct surveys and investigations relating to conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this title, and to disseminate information concerning these activities.

(f) To make such rules and regulations as he deems necessary to prevent trespasses and otherwise regulate the use and occupancy of property acquired by, or transferred to, the Secretary for the purposes of this title, in order to conserve and utilize it or advance the purposes of this title. Any violation of such rules and regulations shall be punished as prescribed in section 5388 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 18, sec. 104).

#### PAYMENTS TO COUNTIES

SEC. 33. As soon as practicable after the end of each calendar year, the Secretary shall pay to the county in which any land is held by the Secretary under this title, 25 per centum of the net revenues received by the Secretary from the use of the land during such year. In case the land is situated in more than one county, the amount to be paid shall be divided equitably among the respective counties. Payments to counties under this section shall be made on the condition that they are used for school or road purposes, or both. This section shall not be construed to apply to amounts received from the sale of land.

#### APPROPRIATION

SEC. 34. To carry out the provisions of this title, there is authorized to be appropriated not to exceed \$10,000,000 for the fiscal year ending June 30, 1938, and not to exceed \$20,000,000 for each of the two fiscal years thereafter.

Appropriation authorized.  
Post, p. 762.

## TITLE IV—GENERAL PROVISIONS

Title IV—General provisions.

## FARMERS' HOME CORPORATION

SEC. 40. (a) There is hereby created as an agency, of and within the Department of Agriculture, a body corporate with the name "Farmers' Home Corporation" (in this Act called the Corporation). The principal office of the Corporation shall be located in the District of Columbia, but there may be established agencies or branch offices elsewhere in the United States under rules and regulations prescribed by the Board of Directors.

Farmers' Home Corporation: creation, principal office, etc.

(b) The Secretary shall have power to delegate to the Corporation such powers and duties conferred upon him under title I or title II, or both, and such powers under title IV as relate to the exercise of the powers and duties so delegated, as he deems may be necessary to the efficient carrying out of the purposes of such titles and may be executed by the Corporation, and to transfer to the Corporation such funds available for such purposes as he deems necessary. In connection with and in the exercise of such powers and duties so delegated, all provisions of this Act relating to the powers and duties of, and limitations upon, the Secretary shall apply to the Corporation in the same manner as to the Secretary, and the term "Secretary" shall be construed to include "Corporation".

Powers and duties.

(c) The Corporation shall have a nominal capital stock in an amount determined and subscribed for by the Secretary. Receipts for payments for or on account of such stock shall be issued by the Corporation to the Secretary and shall be evidence of the stock ownership of the United States.

Capital stock.

(d) The management of the Corporation shall be vested in a board of directors (in this Act called the Board) subject to the general supervision of the Secretary. The Board shall consist of three persons employed in the Department of Agriculture who shall be designated by the Secretary. Vacancies in the Board, so long as there are two members in office, shall not impair the powers of the Board to execute its functions and two of the members in office shall constitute a quorum for the transaction of business. The directors, appointed as hereinbefore provided, shall receive no additional compensation for their services as such directors but may be allowed travel and subsistence expenses when engaged in business of the Corporation outside of the District of Columbia.

Board of directors.

(e) The Board may select, subject to the approval of the Secretary, an administrator, who shall be the executive officer of the Corporation, with such power and authority as may be conferred upon him by the Board.

Administrator, to be executive officer.

(f) The Corporation—

Corporate powers.

(1) Shall have succession in its corporate name;

(2) May adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) May sue and be sued in its corporate name in any court of competent jurisdiction, State or Federal: *Provided*, That the prosecution and defense of all litigation to which the Corporation may be a party shall be conducted under the supervision of the Attorney General, and the Corporation shall be represented by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General: *And provided further*, That no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property;

Provisions. Supervision of litigation.

Corporation to be free from attachment, etc.



Bylaws.

(4) May adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised and enjoyed;

Franking privilege.

(5) Shall be entitled to the free use of the United States mails in the same manner as other executive agencies of the Government;

Powers vested in Corporation.

(6) Shall have such powers as may be necessary or appropriate for the exercise of the powers vested in the Corporation (including, but subject to the limitations of this Act, the power to make contracts, and to purchase or lease, and to hold or dispose of, such real and personal property as it deems necessary) and all such incidental powers as are customary in corporations generally. The Board shall define the authority and duties of the officers and employees of the Corporation, delegate to them such of the powers vested in the Corporation as it may determine, and require bonds of such of them as it may designate and fix the penalties and pay the premiums of such bonds.

Injuries to Government employees; benefits of Act extended to.

39 Stat. 742.  
5 U. S. C. § 751.

(g) Insofar as applicable, the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, shall extend to employees of the Corporation.

Depositories.

(h) All money of the Corporation not otherwise employed may be deposited with the Treasurer of the United States or in any bank approved by the Secretary of the Treasury, subject to withdrawal by the Corporation at any time, or with the approval of the Secretary of the Treasury may be invested in obligations of the United States. Subject to the approval of the Secretary of the Treasury, the Federal Reserve banks are hereby authorized and directed to act as depositories, custodians, and fiscal agents for the Corporation in the performance of its powers.

Corporation, etc., to be tax exempt.

(i) The Corporation, including its franchises, its capital, reserves, and surplus and its income and property shall, except as otherwise provided in section 50 (a), be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision.

Accounts.

(j) The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary a complete report as to the business of the Corporation.

Secretary and Corporation.

Administrative powers.

Personnel provisions.

#### ADMINISTRATIVE POWERS OF SECRETARY AND CORPORATION

SEC. 41. For the purposes of this Act, the Secretary shall have power to—

(a) Appoint (without regard to the civil-service laws and regulations) and fix the compensation of such officers and employees as may be necessary. No person (except as to positions requiring technical training and experience for which no one possessing the requisite technical training and experience is available within the area) shall be appointed or transferred under this Act to any position in an office in a State or Territory the operations of which are confined to such State or Territory or a portion thereof, or in a regional office outside the District of Columbia the operations of which extend to more than one, or portions of more than one, State or Territory, unless such person has been an actual and bona-fide resident of the State or Territory, or region, as the case may be, in which such office is located, for a period of not less than one year next preceding the appointment or transfer to such position (disregarding periods of residence outside such State or Territory, or region, as the case may be, while in the Federal Government serv-

ice). If the operations of the office are confined to a portion of a single State or Territory, the Secretary in making appointments or transfers to such office shall, except in the classes of cases exempted from the preceding sentence, appoint or transfer only persons who are residents of such portion of the State or Territory: *Provided*, That hereafter, wherever practicable, all appointments of persons to the Federal service for employment within the District of Columbia, under the provisions of this Act, whether such appointments be within the classified civil service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

*Proviso.*  
Apportionment of appointments.

(b) Accept and utilize voluntary and uncompensated services, and, with the consent of the agency concerned, utilize the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, Territory, or political subdivision.

Acceptance of voluntary services.

(c) Within the limits of appropriations made therefor, make necessary expenditures for personal services and rent at the seat of government and elsewhere; contract stenographic reporting services; purchase and exchange of supplies and equipment, law books, books of reference, directories, periodicals, newspapers, and press clippings; travel and subsistence expenses, including the expense of attendance at meetings and conferences; purchase, operation, and maintenance, at the seat of government and elsewhere, of motor-propelled passenger-carrying and other vehicles; printing and binding; and for such other facilities and services as he may from time to time find necessary for the proper administration of this Act.

Expenditures.

(d) Make contracts for services and purchases of supplies without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) when the aggregate amount involved is less than \$300.

Contracts for services and supplies.  
R. S. § 3709.  
41 U. S. C. § 5.

(e) Make payments prior to audit and settlement by the General Accounting Office.

Payments before audit, etc.

(f) Acquire land and interests therein without regard to section 355 of the Revised Statutes, as amended. This subsection shall not apply with respect to the acquisition of land or interests in land under title III.

Land acquisition, etc.; exception.  
R. S. § 355.  
33 U. S. C. § 733;  
50 U. S. C. § 175.

(g) Compromise claims and obligations arising under, and adjust and modify the terms of mortgages, leases, contracts, and agreements entered into pursuant to, this Act, as circumstances may require.

Compromise of claims, etc.

(h) Collect all claims and obligations arising under this Act, or under any mortgage, lease, contract, or agreement entered into pursuant to this Act, and, if in his judgment necessary and advisable, to pursue the same to final collection in any court having jurisdiction: *Provided*, That the prosecution and defense of all litigation under this Act shall be conducted under the supervision of the Attorney General, and the legal representation shall be by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General.

Collections.

*Proviso.*  
Supervision of litigation.

(i) Make such rules and regulations as he deems necessary to carry out this Act.

Rules, etc.

#### COUNTY COMMITTEE

SEC. 42. (a) The Secretary is authorized and directed to appoint in each county in which activities are carried on under title I a county committee composed of three farmers residing in the county.

County committees.  
*Ante*, p. 522.

(b) Each member of the committee shall be allowed compensation at the rate of \$3 per day while engaged in the performance of duties under this Act but such compensation shall not be allowed with

Compensation.

respect to more than five days in a month. In addition, they shall be allowed such amounts as the Secretary may prescribe for necessary traveling and subsistence expenses.

Meetings.

(c) The committee shall meet on the call of the county agent in the county, or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees, furnish forms and equipment necessary for the performance of their duties, and authorize and provide for the compensation of such clerical assistants as he deems may be required by any committee.

Duties.

(d) Committees established under this Act shall, in addition to the duties specifically imposed under this Act, perform such other duties under this Act as the Secretary may require of them.

Resettlement projects.

#### RESETTLEMENT PROJECTS

Functions of Secretary continued.

49 Stat. 2035.  
40 U. S. C., Supp.  
II, §§ 431-434.

SEC. 43. The Secretary is authorized to continue to perform such of the functions vested in him pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, and pursuant to Public Act Numbered 845, approved June 29, 1936 (49 Stat. 2035), as shall be necessary only for the completion and administration of those resettlement projects, rural rehabilitation projects for resettlement purposes, and land development and land utilization projects, for which funds have been allotted by the President, and the balances of funds available to the Secretary for said purposes which are unexpended on June 30, 1937, are authorized to be appropriated to carry out said purposes: *Provided*, That any land held by the United States under the supervision of the Secretary pursuant to said Executive orders may where suitable be utilized for the purposes of title I of this Act, and the Secretary may sell said land and make loans for the necessary improvement thereof to such individuals and upon such terms as shall be in accordance with the provisions of said title.

*Proviso.*  
Sale of land.

General provisions applicable to sale.

#### GENERAL PROVISIONS APPLICABLE TO SALE

Reservation by United States.

SEC. 44. The sale or other disposition of any real property acquired by the Secretary pursuant to the provisions of this Act, or any interest therein, shall be subject to the reservation by the Secretary on behalf of the United States of not less than an undivided three-fourths of the interest of the United States in all coal, oil, gas, and other minerals in or under such property.

#### TRANSFER OF AVAILABLE LANDS

Transfer of available lands.

SEC. 45. The President may at any time in his discretion transfer to the Secretary or the Corporation any right, interest, or title held by the United States, and under the supervision of the Secretary, in any land which the President shall find suitable for the purposes of this Act, and the Secretary or the Corporation, as the case may be, may use and dispose of such land in such manner, and subject to such terms and conditions, as the President determines will best carry out the objectives of this Act.

#### TRANSACTIONS WITH CORPORATIONS

Transactions with corporations.

SEC. 46. Nothing in this Act shall be construed to authorize the making of any loan, or the sale or other disposition of real property or any interest therein, to any private corporation, for farming purposes.

## SURVEYS AND RESEARCH

SEC. 47. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this Act, and may publish and disseminate information pertinent to the various aspects of his activities.

Surveys and research.

## VARIABLE PAYMENTS

SEC. 48. The Secretary may provide for the payment of any obligation or indebtedness to him under this Act under a system of variable payments under which a surplus above the required payment will be collected in periods of above-normal production or prices and employed to reduce payments below the required payment in periods of subnormal production or prices.

Variable payments.

## SET-OFF

SEC. 49. No set-off shall be made against any payment to be made by the Secretary to any person under the provisions of this Act, by reason of any indebtedness of such person to the United States, and no debt due to the Secretary under the provisions of this Act shall be set off against any payments owing by the United States, unless the Secretary shall find that such set-off will not adversely affect the objectives of this Act.

Set-off.

Restriction.

## TAXATION

SEC. 50. (a) All property which is being utilized to carry out the purposes of title I or title II of this Act (other than property used solely for administrative purposes) shall, notwithstanding that legal title to such property remains in the Secretary or the Corporation, be subject to taxation by the State, Territory, District, dependency, and political subdivision concerned, in the same manner and to the same extent as other similar property is taxed.

Taxation.  
*Ante*, pp. 522,525.

(b) All property to which subsection (a) of this section is inapplicable which is held by the Secretary or the Corporation pursuant to this Act shall be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision, but nothing in this subsection shall be construed as affecting the authority or duty of the Secretary under any other law to make payments in respect of any such property in lieu of taxes.

## BID AT FORECLOSURE

SEC. 51. The Secretary is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire property pledged or mortgaged to secure any loan or other indebtedness owing under this Act; to accept title to any property so purchased or acquired; to operate or lease such property for such period as may be deemed necessary or advisable to protect the investment therein; and to sell or otherwise dispose of such property so purchased or acquired upon such terms and for such considerations as the Secretary shall determine to be reasonable, but subject to the reservation of the rights provided for in section 44.

Bid at foreclosure.

Powers of Secretary.

## PENALTIES

SEC. 52. (a) Whoever makes any material representation, knowing it to be false, for the purpose of influencing in any way the action of the Corporation upon any application, advance, discount, purchase, or repurchase agreement, contract of sale, lease, or loan, or any change

Penalties.

or extension of any of the same by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

(b) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to the Corporation or pledged or otherwise entrusted to it; or (2) with intent to defraud the Corporation, or any other body politic or corporate, or any individual, or to deceive, any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of, or to, the Corporation or draws any order, or issues, puts forth, or assigns any note or other obligation or draft, mortgage, judgment, or decree thereof; or (3) with intent to defraud the Corporation, participates or shares in or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission contract, or any other act of the Corporation, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both.

(c) Whoever willfully shall conceal, remove, dispose of, or convert to his own use or to that of another, any property mortgaged or pledged to, or held by, the Corporation, as security for any obligation, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

18 U. S. C. §§ 202-207.

(d) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, secs. 202-207, inclusive), insofar as applicable, are extended to apply to contracts or agreements of the Corporation, which for the purposes hereof shall be held to include advances, loans, discounts, purchase and repurchase agreements, contracts of sale, and leases; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

(e) Whoever conspires with another to accomplish any of the acts made unlawful by the preceding provisions of this section shall, on conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for doing such unlawful act.

Fees and commissions.

Restrictions.

#### FEES AND COMMISSIONS PROHIBITED

SEC. 53. No Federal officer, attorney, or employee shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this Act other than such salary, fee, or other compensation as he may receive as such officer, attorney, or employee. No member of a county committee established under section 42 shall knowingly make or join in making any certification prohibited by section 2 (c). Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

Penalty for violation.

#### EXTENSION OF <sup>1</sup> TERRITORIES

Extension to territories.

SEC. 54. The provisions of this Act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico. In the case of Alaska and Puerto Rico the term "county" as used in this Act shall be deemed synonymous with the Territory, or any subdivision thereof as may be designated by the Secretary, and payments under section 33 of this Act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision.

<sup>1</sup> So in original.

## SEPARABILITY

SEC. 55. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved, July 22, 1937.

Separability.

## [CHAPTER 520]

## AN ACT

To confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries.

July 23, 1937  
[H. R. 2565]  
[Public, No. 211]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and enter judgments against the United States upon the claims of the several contractors for alleged excess costs incurred in the execution of their respective contracts, entered into since June 16, 1933, for the construction of locks and dams for the improvement of navigation on the Mississippi River and its tributaries, by reason of the Government having promulgated and enforced, as alleged, due, as alleged, to the national emergency and subsequent to the dates of the several contracts, rules and regulations referred to in the several contracts and misinterpreted and wrongfully enforced or disregarded, as alleged, and rules and regulations not referred to in and inconsistent with the respective contracts, as alleged, which rules and regulations, the enforcement or disregard thereof, deprived the contractors of normal control of their personnel, as alleged, and further by reason of the Government having failed, as alleged, to supply qualified labor under the labor clauses of the respective contracts, resulting in excess costs, including general overhead and depreciation, to the said several contractors on their respective contracts, as alleged; the said judgment or decrees, if any, to be allowed notwithstanding the bars or defenses of any alleged settlement or adjustment heretofore made, res judicata, laches, or any provision of law to the contrary.

Mississippi River,  
locks and dams; con-  
struction, etc.  
Claims of contrac-  
tors for excess costs  
submitted to Court of  
Claims.

Judgment.

This Act shall not be interpreted as raising any presumption or conclusion of fact or law but shall be held solely to provide for trial upon facts as may be alleged.

Presumption, etc.,  
of fact or law not  
raised.

Review of such judgment may be had by either party in the same manner as is provided by law in other cases in such court.

Review of judg-  
ment.

Approved, July 23, 1937.

## [CHAPTER 522]

## AN ACT

To amend the Civil Service Act approved January 16, 1883 (22 Stat. 403), and for other purposes.

July 26, 1937  
[H. R. 3408]  
[Public, No. 212]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an Act entitled "An Act to regulate and improve the civil service of the United States" (Act of January 16, 1883, 22 Stat. 403), is hereby amended by adding at the end of the sixth paragraph of section 2 of the Act a new paragraph, as follows:

Civil Service Act,  
amendment.

22 Stat. 403.  
5 U. S. C. § 633.

No discrimination  
because of marital  
status.

"And no person shall be discriminated against in any case because of his or her marital status in examination, appointment, reappointment, reinstatement, reemployment, promotion, transfer, retransfer, demotion, removal, or retirement. All Acts or parts of Acts inconsistent herewith are hereby repealed."

Approved, July 26, 1937.

[CHAPTER 523]

AN ACT

July 26, 1937

[S. 2295]

[Public, No. 213]

To amend the Act approved June 7, 1935 (Public, Numbered 116, Seventy-fourth Congress; 49 Stat. 332), to provide for an additional number of cadets at the United States Military Academy, and for other purposes.

Military Academy  
cadets.  
Selections by Gov-  
ernor of Panama  
Canal.  
49 Stat. 332.  
10 U. S. C., Supp.  
II, § 1091b.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the portion of the Act approved June 7, 1935 (Public, Numbered 116, Seventy-fourth Congress; 49 Stat. 332), to provide for an additional number of cadets at the United States Military Academy, which reads as follows: "one to be selected by the Governor of the Panama Canal Zone, from among the sons of civilians of the Panama Canal Zone and the Panama Railroad, resident on the zone", is amended to read as follows: "one cadet to be selected by the Governor of the Panama Canal from among the sons of civilians residing in the Canal Zone and the sons of civilian personnel of the United States Government and the Panama Railroad Company residing in the Republic of Panama".

Approved, July 26, 1937.

[CHAPTER 524]

AN ACT

July 27, 1937

[S. 1782]

[Public, No. 214]

To add certain lands to the Rogue River National Forest in the State of Oregon.

Rogue River Na-  
tional Forest, Oreg.  
Transfer of certain  
revested Oregon and  
California Railroad  
grant lands to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of forest management, watershed protection, and recreational use the north half northwest quarter section 3, the south half northwest quarter section 23, and the west half northeast quarter northeast quarter and the east half northwest quarter northeast quarter section 27, township 37, south, range 3 east, Willamette meridian, of revested Oregon and California land-grant lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon, subject to all laws and regulations governing national forests: *Provided*, That the Secretaries of the Interior and Agriculture shall jointly appraise and agree on the value of the said Oregon and California land-grant lands and shall certify the same to the Secretary of the Treasury. That the Secretary of the Treasury be, and he is hereby, authorized, upon notice of the appraisal by the Secretaries of the Interior and Agriculture, to transfer an equal amount of money from the national-forest receipts and credit the same to the Oregon and California land-grant funds, subject to all laws and regulations governing the disposal of money received from the Oregon and California land-grant lands.

*Proviso.*  
Appraisal.

Credit of sum trans-  
ferred.

Approved, July 27, 1937.

## [CHAPTER 525]

## AN ACT

To authorize the Secretary of War to sell, loan, or give samples of supplies and equipment to prospective manufacturers.

July 27, 1937  
[S. 1972]  
[Public, No. 215]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized, in his discretion and under rules, regulations, and limitations to be prescribed by him, to sell, loan, or give to contractors and private firms which are or may likely be manufacturers or furnishers of supplies and equipment for the use of the War Department or of the Army, under approved production plans, such drawings, manufacturing and other information, and samples of supplies and equipment to be manufactured or furnished, as he may consider will best promote the interests of national defense.

War Department.  
Samples of supplies,  
etc., to prospective  
manufacturers au-  
thorized.

Approved, July 27, 1937.

## [CHAPTER 526]

## AN ACT

Authorizing The Maine-New Hampshire Interstate Bridge Authority to construct, maintain, and operate a toll bridge across the Piscataqua River at or near Portsmouth, State of New Hampshire.

July 28, 1937  
[S. 2662]  
[Public, No. 216]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, The Maine-New Hampshire Interstate Bridge Authority (hereinafter referred to as the authority) is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Piscataqua River, from a point at or near Portsmouth, State of New Hampshire, to a point at or near Kittery, State of Maine, suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Piscataqua River.  
Bridge construction  
authorized, between  
Portsmouth, N. H.,  
and Kittery, Maine.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

SEC. 2. There is hereby conferred upon the authority all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire real  
estate, etc.

SEC. 3. The authority is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Condemnation pro-  
ceedings.

Toll charges.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed forty-five years from the completion thereof. After a sinking fund sufficient for such amortization and for the maintenance of said bridge and the approaches thereto

Tolls to be applied  
to operation, sinking  
fund, etc.

Maintenance as free  
bridge after amortiz-  
ing costs, etc.



Record of expenditures and receipts.

Amendment.

shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 28, 1937.

[CHAPTER 527]

AN ACT

To extend the boundaries of the Papago Indian Reservation in Arizona.

July 28, 1937

[S. 1806]

[Public, No. 217]

Papago Indian Reservation, Ariz.  
Area enlarged.

Lands added.

Prior rights not affected.

Mexican boundary strip.

35 Stat. 2136.

*Proviso.*  
Acquisitions to remain tribal lands, etc.

Purchase of lands for use of Indians.

48 Stat. 985.

Menager Dam property.

Tracts relinquished by State; lieu selections.

36 Stat. 557.

48 Stat. 1272; 49 Stat. 1976.

43 U. S. C. § 315g; Supp. II, § 315g.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever all privately owned lands except mining claims within the following-described area have been purchased and acquired as hereinafter authorized, the boundary of the Papago Indian Reservation in Arizona shall be extended to include the west half of section 4; west half of section 9, township 17 south, range 8 east; all of township 18 south, range 2 west, all of fractional township 19 south, range 2 west; and all of fractional townships 18 and 19 south, range 3 west, except sections 6, 7, 18, 19, 30, and 31 in township 18 south, range 3 west, Gila and Salt River meridian. This extension shall not affect any valid rights initiated prior to the approval hereof nor the reservation of a strip of land sixty feet wide along the United States-Mexico boundary made by proclamation of the President dated May 27, 1907 (35 Stat. 2136). The lands herein described when added to the Papago Indian Reservation as provided in this Act shall become a part of said reservation in all respects and upon all the same terms as if said lands had been included in the Executive order issued by the President on February 1, 1917: *Provided,* That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to purchase for the use and benefit of the Papago Indians with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984), all privately owned lands, water rights, and reservoir site reserves within townships 18 and 19 south, ranges 2 and 3 west, together with all grazing privileges and including improvements upon public lands appurtenant to the so-called Menager Dam property, at the appraised value of \$40,016.37.

SEC. 3. The State of Arizona may relinquish in favor of the Papago Indians such tracts within the townships referred to in section 1 of this Act as it may see fit and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to those relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. 558), or in the discretion of the State of Arizona under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended and supplemented by the Act of June 26, 1936 (49 Stat. 842). The payment of fees or commissions is hereby waived in all lieu selections made pursuant to this section.

Approved, July 28, 1937.

## [CHAPTER 528]

## AN ACT

To authorize the assignment of officers of the line of the Marine Corps to assistant quartermaster and assistant paymaster duty only, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That officers of the line of the Marine Corps of the grades of major, lieutenant colonel, and colonel may, upon application, and with the approval of the Secretary of the Navy, be assigned to assistant quartermaster and assistant paymaster duty only: *Provided*, That when so assigned they shall retain the lineal position and precedence which they now hold or may later attain and shall be promoted, retired, and discharged in like manner and with the same relative conditions in all respects as are now or may hereafter be provided for other officers of the line of the Marine Corps, except as herein otherwise provided: *Provided further*, That the recommendation of selection boards in the cases of officers assigned to such duty shall be based upon their comparative fitness to perform the duties prescribed for them: *Provided further*, That officers of the grades of major and lieutenant colonel assigned to assistant quartermaster and assistant paymaster duty only in accordance with this Act shall, on promotion up to and including the grade of colonel, be carried as additional numbers in grade: *And provided further*, That the number of officers so assigned in accordance with this Act in any one year shall be in accordance with the requirements of the service as determined by the Secretary of the Navy.

Approved, July 28, 1937.

July 28, 1937

[S. 2521]

[Public, No. 218]

Marine Corps.  
Assignment of line  
officers to assistant  
quartermaster and  
paymaster duty.

*Provisos.*  
Lineal position, etc.,  
retained.

Assignment based  
on fitness.

Designated promo-  
tions to be carried as  
additional numbers.

Number assigned.

## [CHAPTER 529]

## AN ACT

Providing for the sale of the two dormitory properties belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior shall take possession of, and appraise and sell, under such rules and regulations as may be prescribed by him, the two dormitories, together with the lands upon which they are located and the furniture, therein, belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma, which lands were acquired and which dormitories were erected and equipped, under the Acts of Congress of March 2, 1917 (39 Stat. L. 983), and May 25, 1918 (40 Stat. L. 584), and he shall deposit the proceeds in the Treasury of the United States to the credit of the Chickasaw Nation, less expenses incident to the appraisal and sale of such properties, including reasonable compensation to special attorneys for services rendered in connection with such sale acting under the direction of the Governor of the Chickasaw Nation, such compensation to be fixed and paid by the Secretary of the Interior; and immediately after such sale, patents conveying such properties shall be made and delivered in the same manner as now provided by law for the conveyance of other tribal properties: *Provided*, That preference right shall be given the State of Oklahoma to purchase said dormitory properties at a price to be agreed upon between the Secretary of the Interior and the Board of Regents of the Murray State School of Agriculture, in accordance with the Senate Concurrent Resolution passed by the Sixteenth Legislature of the State of Oklahoma.

Approved, July 28, 1937.

July 28, 1937

[S. 2587]

[Public, No. 219]

Chickasaw Indians,  
Okla.

Sale of certain dor-  
mitory properties au-  
thorized.

39 Stat. 983; 40 Stat.  
584.

Proceeds to credit of  
Indians.

Attorneys, compen-  
sation.

*Proviso.*  
Preference to State  
to purchase proper-  
ties.

## [CHAPTER 530]

## AN ACT

July 28, 1937

[S. 2661]

[Public, No. 220]

Granting the consent of Congress to a compact entered into by the States of Maine and New Hampshire for the creation of The Maine-New Hampshire Interstate Bridge Authority.

Maine-New Hampshire Interstate Bridge Authority.

Consent granted Maine and New Hampshire for creation of.

Portsmouth-Kittery bridge, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby given to an interstate compact for the creation of The Maine-New Hampshire Interstate Bridge Authority, executed on the 14th day of April 1937 by the representatives of the States of Maine and New Hampshire, which compact has been deposited in the Department of State of the United States and reads as follows:

INTERSTATE BRIDGE AUTHORITY FOR THE PORTSMOUTH-KITTERY BRIDGE  
AND APPROACHES THERETO

## COMPACT

## BETWEEN THE STATE OF MAINE AND THE STATE OF NEW HAMPSHIRE

Compact relative to bridge construction across Piscataqua River.

Whereas, the single highway bridge serving as the sole facility for vehicular traffic over and across the Piscataqua river between the state of New Hampshire and the state of Maine is wholly inadequate to care for and accommodate such traffic over said river between the said two states and therefore causes such traffic congestion in and upon the streets and highways of the city of Portsmouth, New Hampshire, and the town of Kittery, Maine, that the lives and property of the citizens of said communities and the travelers on said streets and highways are constantly endangered; and

Whereas, the antiquated and obsolete wooden pile bridge serving as the sole facility for railroad traffic over and across the Piscataqua river between the state of New Hampshire and state of Maine is wholly inadequate to care for and accommodate the railroad traffic between the said two states; and

Whereas, the narrow draw-span of said wooden pile railroad bridge the sole facility permitting passage of water traffic up and down said river is wholly inadequate to permit the passage of steamers and vessels of broad beam from the sea inland to serve the large industrial plants now situate on the banks of said river and therefore constitutes an obstacle to further enlargement of these industries and the development of numerous other industrial sites located so that passage through said bridge is absolutely necessary; and

Whereas, the only remedy for the conditions now existing is the construction of a bridge across said river which by coordinating the facilities required by vehicular and railroad traffic will remove the obstacle to water traffic; and

Whereas, the solution to this problem will result in great economy and benefit not only to the states of Maine and New Hampshire but to the nation and will require the cordial cooperation of the states of New Hampshire and Maine in the encouragement of the investment of capital as well as the formulation and execution of the necessary plans and such result can best be accomplished through the joining of the two states of Maine and New Hampshire by and through a common agency.

Now therefore, the said states of New Hampshire and Maine do hereby agree and pledge each to the other as follows:

## ARTICLE I

Said states agree to and pledge, each to the other, faithful cooperation in the planning, execution and construction of a suitable vehicu-

lar and railroad bridge with suitable highway approaches thereto and draw-span therein; holding the same in high trust for the benefit of the nation and of the said two states.

## ARTICLE II

There is hereby created "The Maine-New Hampshire Interstate Bridge Authority" which shall be a body corporate and politic having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by the legislature of either state concurred in by the legislature of the other state or by act or acts of Congress as hereinafter provided.

## ARTICLE III

The Authority shall consist of six members, three residents of the state of New Hampshire and three residents of the state of Maine. The New Hampshire members to be chosen by the state of New Hampshire and the Maine members to be chosen by the state of Maine in the manner and for the term fixed and determined from time to time by the legislatures of either state respectively. Any member may be removed or suspended from office as provided by the law of the state from which he shall be appointed.

## ARTICLE IV

The members of the Authority shall, for the purpose of doing business, constitute a board and may adopt suitable rules and regulations for its management.

## ARTICLE V

The Authority shall constitute a body both corporate and politic with full power and authority (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to adopt from time to time and amend by-laws covering its procedure, rules and regulations governing use of the bridge and any of the other services made available in connection with said bridge, to publish the same, if such publication is necessary or advisable and to cause records of its proceedings to be kept; (4) to construct, maintain, reconstruct and operate an interstate toll bridge over the Piscataqua river between the city of Portsmouth in New Hampshire and the town of Kittery in Maine and for this purpose; (5) to acquire, hold and dispose of personal property for its purposes; (6) to acquire in the name of the Authority by purchase, condemnation, lease or otherwise, any real property and rights or easements therein, deemed by it necessary or desirable for its purposes, and to use such property; (7) to acquire any such real property by the exercise of the power of condemnation in the manner provided by laws and statutes of the said two states or otherwise; (8) to charge and collect fees, fares and tolls for the use of said bridge and other services made available in connection with the said bridge; (9) to make contracts with the United States, the state of New Hampshire, the state of Maine, public corporations or bodies existing therein, and private corporations and individuals; (10) to accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation and financing of the bridge and its highway approaches and to do any and all things necessary in order to avail itself of such aid and cooperation; (11) to employ such assistants, agents and servants as it shall deem necessary or desirable for its purposes; (12) to exercise any of its powers in the public domain of the United States unless the exercise of such powers is not permitted by the laws of the United

States; (13) to borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the Authority and to secure the payment of such obligations or any part thereof by pledge of any part of the revenue of the bridge and, (14) to do all other lawful things necessary and incidental to the foregoing powers. All property of the Authority and all property held in the name of either state pursuant to the provisions hereof shall be exempt from levy and sale by virtue of any execution and no execution or other judicial process shall issue against the same. No judgment against the Authority shall be lien upon its property held in the name of either state pursuant to the provisions hereof. No property now or hereafter vested in or held by either state, by any county, city, town, village, district, township or other municipality thereof shall be taken by the Authority without the authority and consent of the state, county, town, village, district or township or other municipality in which it is located; nor shall anything impair or invalidate any bond, indebtedness of either state, any county, city, town, village, district or township or other municipality nor impair the provisions of law to regulate the payment into sinking funds of revenue derived from municipal property or dedicate the revenues derived from any municipal property to a specific purpose.

#### ARTICLE VI

The Authority shall have such additional powers and duties as may hereafter be delegated to and imposed upon it from time to time by the action of the legislature of either state concurred in by the legislature of the other. Unless and until otherwise provided, it shall make a biennial report to the legislatures of both states, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The Authority shall not pledge the credit of either state except by and with the expressed authority of the legislature thereof.

#### ARTICLE VII

Nothing in this agreement or compact is intended or shall be construed to affect the laws now existing which vest jurisdiction over or control of railroads in the public service commission of the state of New Hampshire, or the public utilities commission of the state of Maine, or the Interstate Commerce Commission of the United States or any agency of either state or the United States.

#### ARTICLE VIII

The Authority shall elect from its members a chairman, vice chairman, clerk and treasurer and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine by resolution their qualifications and duties.

#### ARTICLE IX

Expenses incurred by the Authority in the interim between execution of this agreement or compact and the date money received from grants, bonds or revenues shall be available shall be borne by the said two states in equal shares and shall be raised as each state shall determine.

#### ARTICLE X

Unless and until otherwise determined by the action of the legislatures of the two states, no action of the Authority shall be binding unless taken at a meeting at which at least two members from each

state are present and unless four votes are cast therefor, two from each state. Each state reserves the right hereafter to provide by law for the exercise of a veto power by the governor thereof over any action of any commissioner appointed therefrom.

#### ARTICLE XI

Unless and until otherwise determined by the legislatures of the two states, the Bridge Authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of Article IX, prior to the making of appropriations adequate to meet the same.

#### ARTICLE XII

The Bridge Authority is hereby authorized to make suitable rules and regulations not inconsistent with the constitution of the United States or of either state, which shall be binding and effective on all persons and corporations affected thereby.

#### ARTICLE XIII

The two states shall provide penalties for violations of any order, rule or regulation of the Bridge Authority, and for the manner of enforcing the same.

#### ARTICLE XIV

Definitions. "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, bridges, highways and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Facility" shall include all works, buildings, structures, stations, appliances and appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of such facility or facilities or any one or more of them. "Real property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation" shall include charges, rates, rentals or tolls fixed or established by the Bridge Authority. Wherever action by the legislature of either state is herein referred to, it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of the state. Plural or singular. The singular wherever used herein shall include the plural. Consent, approval or recommendation of municipality, how given. Wherever herein the consent, approval or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city, town or village district. Such consent, approval or recommendation whenever required in the case of the city of Portsmouth shall be deemed to have been given whenever the city council of the city of Portsmouth or any body hereafter succeeding to its duties shall by majority vote pass a resolution expressing such consent, approval or recommendation; and in the case of the town deemed to have been given whenever at a regular town meeting, or special meeting called for that purpose shall by majority of votes of persons present and voting therefor; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall by a majority vote pass such a resolution.

In Witness Whereof we have hereunto set our hands and seals under chapter 18 of the Private and Special Laws of 1937 of the State of Maine and chapter 4 of the Laws of the Special Session of 1936 of the State of New Hampshire this 14th day of April, 1937. In the presence of:

Helen D. Ayers	[Seal]	PAUL C. THURSTON,
Lucius D. Barrows	[Seal]	HOLLIS B. COLE,
Helen D. Ayers	[Seal]	WILLIAM H. HINMAN,
		Commissioners for Maine.
Sanford L. Fogg	[Seal]	FRANZ U. BURKETT,
		Attorney General of Maine.
Daniel H. Dickinson	[Seal]	FREDERIC E. EVERETT,
Daniel H. Dickinson	[Seal]	JAMES J. POWERS,
Daniel H. Dickinson	[Seal]	FRANK E. BROOKS,
		Commissioners for New Hampshire.
Harry E. Trapp	[Seal]	THOMAS P. CHENEY,
		Attorney General of New Hampshire.

Amendment. SEC. 2. The right to alter, amend, or repeal the provisions of the first section of this Act is hereby expressly reserved.  
Approved, July 28, 1937.

[CHAPTER 531]

AN ACT

July 28, 1937  
[H. R. 6496]  
[Public, No. 221]

Granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana.

Missouri River.  
Bridge authorized  
across, at Poplar,  
Mont.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Montana, the counties of Roosevelt, Richland, and McCone thereof, or any of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Poplar, Montana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Amendment. SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.  
Approved, July 28, 1937.

[CHAPTER 532]

AN ACT

July 28, 1937  
[H. R. 6636]  
[Public, No. 222]

Granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Indiana.

Wabash River.  
Carroll County,  
Ind., may bridge, at  
Lockport.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Lockport, Indiana,

in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 28, 1937.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

#### [CHAPTER 533]

##### AN ACT

Granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Massachusetts, or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell.

July 28, 1937  
[H. R. 6920]  
[Public, No. 223]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Massachusetts, or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River, at a point suitable to the interests of navigation, at or near Lowell, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Merrimack River.  
Bridge authorized  
across, at Lowell,  
Mass.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 28, 1937.

#### [CHAPTER 534]

##### AN ACT

To authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, September 5 to 10, inclusive, 1937.

July 28, 1937  
[H. R. 7641]  
[Public, No. 224]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, from September 5 to 10, inclusive, 1937.

Grand Army En-  
campment, 1937.  
Attendance of Ma-  
rine Band authorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such encampment there is authorized to be appropriated the sum of \$7,500, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for actual living expenses while on the duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Sum authorized for  
expenses.  
*Post*, p. 768.

*Proviso.*  
Allowance for mem-  
bers; additional to  
pay.

Approved, July 28, 1937.



[CHAPTER 536]

AN ACT

July 29, 1937  
[H. R. 7017]  
[Public, No. 225]

To amend section 4450 of the Revised Statutes of the United States, as amended by the Act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239).

Investigation of  
marine casualties.  
R. S. § 4450.  
49 Stat. 1383.  
46 U. S. C., Supp.  
II, § 239.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4450 of the Revised Statutes of the United States, as amended by the Act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239), is amended by inserting in the third sentence of paragraph (g) of said section the words "suspended or", after the word "is" and before the word "revoked", so that the said paragraph (g) of said section, when amended, shall read as follows:

Incompetency or  
misconduct, investiga-  
tion of.

Notice to accused,  
hearing, etc.

Determination of  
guilt by Director.

Suspension or rev-  
ocation of license.

Appeal to Secretary  
of Commerce.  
Counsel.

Decision, limita-  
tions.

"(g) In any investigation of acts of incompetency or misconduct or of any act in violation of the provisions of this title, or of any of the regulations issued thereunder, committed by any licensed officer or any holder of a certificate of service, the person whose conduct is under investigation shall be given reasonable notice of the time, place, and subject of such investigation and an opportunity to be heard in his own defense. The whole record of the testimony received by the board conducting such investigation and the findings and recommendations of such board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation, and if that officer shall find that such licensed officer or holder of certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service of such officer or holder of such certificate. The person whose license or certificate of service is suspended or revoked may, within thirty days, appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based."

Approved, July 29, 1937.

[CHAPTER 537]

AN ACT

July 30, 1937  
[S. 2193]  
[Public, No. 226]

To authorize the construction of certain auxiliary vessels for the Navy.

Navy.  
Construction of  
specified auxiliary ves-  
sels authorized.  
Post, p. 767.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of furnishing or replacing auxiliary vessels urgently necessary for the proper maintenance and operation of the Navy, the President of the United States is hereby authorized to undertake the construction of about thirty-six thousand and fifty tons (light displacement tonnage) of such auxiliary vessels as follows at a total cost for all vessels of not more than \$50,000,000:

Types.

- (a) One seaplane tender of about eight thousand three hundred tons;
- (b) One destroyer tender of about nine thousand tons;
- (c) One mine sweeper of about six hundred tons;

- (d) One submarine tender of about nine thousand tons;
- (e) One fleet tug of about one thousand one hundred and fifty tons; and
- (f) One oiler of about eight thousand tons.

SEC. 2. Not less than 50 per centum of the vessels herein authorized, allocated on an approximate tonnage basis, including such portions thereof as are customarily manufactured in Government plants, shall be constructed or manufactured in Government navy yards, naval stations, naval gun factories, naval ordnance plants, or arsenals of the United States: *Provided*, That the President may, however, should the public interests in his judgment so require, have the vessels built in Government or private yards notwithstanding the allocation otherwise imposed: *Provided further*, That the provisions of section 3 of the Act entitled "An Act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934 (48 Stat. 505; U. S. C., title 34, sec. 496), as amended, are hereby made applicable to contracts for the construction of the vessels or any portion thereof herein authorized.

SEC. 3. Any bid for the construction on the Pacific coast of any of the vessels authorized by this Act shall have a differential of 6 per centum in its favor which shall be considered by the Secretary of the Navy in awarding contracts for the construction of said vessels.

Approved, July 30, 1937.

#### [CHAPTER 538]

#### AN ACT

To authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subject to the conditions hereinafter specified, the Secretary of Commerce is authorized to convey to the State of Wisconsin for State park purposes all the right, title, and interest of the United States in and to that portion of the Twin River Point Lighthouse Reservation, Manitowoc County, Wisconsin, which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portion of such reservation transferred.

SEC. 2. Such conveyance shall contain the express condition that if the State of Wisconsin shall at any time cease to use the property as a State park for public recreation, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

SEC. 3. The United States reserves the right to resume ownership, possession, and control for Government purposes, of any property conveyed under authority of this Act, at any time and without the consent of the State of Wisconsin.

SEC. 4. The Secretary of Commerce is also authorized, in his discretion, to lease to the State of Wisconsin for a period of twenty-five years that portion of the Twin River Point Lighthouse Reservation not conveyed by him under authority of this Act. Such lease shall be subject to revocation at any time by the Secretary of Commerce.

Approved, July 30, 1937.

Ratio of construction in Government yards, etc.

*Provisos.*  
Changes allowed in public interests.

Contract provisions.

48 Stat. 505.  
34 U. S. C. § 496.

Construction on Pacific coast, differential.

July 30, 1937.  
[H. R. 1961]  
[Public, No. 227]

Twin River Point Lighthouse Reservation, Wis.

Conveyance of portion to State authorized.

Description.

Reversionary provision.

Rights reserved.

Lease of other section.

## [CHAPTER 539]

## AN ACT

July 30, 1937

[H. R. 6358]

[Public, No. 228]

To amend section 107, as amended, of the Judicial Code so as to eliminate the requirement that suitable accommodations for holding court at Columbia, Tennessee, be provided by the local authorities.

Judicial Code,  
amendment.  
Accommodations for  
holding court at  
Columbia, Tenn.  
28 U. S. C. § 188.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second proviso of section 107, as amended, of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 188) is amended by striking out the period at the end of said proviso, and adding the following: "until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Columbia, a public building shall have been erected or other Federal space provided for court purposes in said city."

Approved, July 30, 1937.

## [CHAPTER 540]

## AN ACT

July 30, 1937

[H. R. 4896]

[Public, No. 229]

To authorize a preliminary examination and survey of Cayuga, Buffalo, and Cazenovia Creeks, New York, with a view to the control of their floods.

Cayuga, Buffalo,  
and Cazenovia  
Creeks, N. Y.  
Survey directed for  
flood control.  
49 Stat. 1570.  
33 U. S. C., Supp.  
II, §§ 701a-702k.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of Cayuga, Buffalo, and Cazenovia Creeks, New York, with a view to the control of their floods, in accordance with the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

Approved, July 30, 1937.

## [CHAPTER 541]

## AN ACT

July 30, 1937

[H. R. 5040]

[Public, No. 230]

To provide for the establishment of a Coast Guard station at or near Beaver Bay, Minnesota.

Beaver Bay, Minn.  
Establishment of  
Coast Guard station  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Beaver Bay, Minnesota, at such point as the Commandant of the Coast Guard may recommend.

Approved, July 30, 1937.

## [CHAPTER 542]

## AN ACT

July 30, 1937

[H. R. 5140]

[Public, No. 231]

To provide for the establishment of a Coast Guard station at or near Saint Augustine, Florida.

Saint Augustine,  
Fla.  
Establishment of  
Coast Guard station  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Saint Augustine, Florida, at such point as the Commandant of the Coast Guard may recommend.

Approved, July 30, 1937.

## [CHAPTER 543]

## AN ACT

To provide for the relinquishment of an easement granted to the United States by the Green Bay and Mississippi Canal Company.

July 30, 1937  
[H. R. 5552]  
[Public, No. 232]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to release to the Green Bay and Mississippi Canal Company, its successors or assigns, the easement heretofore granted by the Green Bay and Mississippi Canal Company to the United States of America for the construction and maintenance of an eight-inch sewer or drain, together with necessary manholes, from a point in the southeasterly side of the post-office site, distant approximately one hundred and twenty-two feet northwardly from the northeasterly bank of the Power Canal, and thence traversing in a southeastwardly direction lots 4 to 14, inclusive, in block 2, a distance of approximately five hundred and fifty feet to the northwesterly side of the open sewer which flows in a northeastwardly direction along the southeasterly side of said lot 14 and to pass drainage and sewage from the site through said eight-inch sewer into said open sewer, in the city of Kaukauna, Outagamie County, Wisconsin.

Green Bay and Mississippi Canal Company.  
Release of easement granted by.

Approved, July 30, 1937.

## [CHAPTER 544]

## AN ACT

To repeal the limitation on the sale price on the old post office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Kentucky.

July 30, 1937  
[H. R. 6899]  
[Public, No. 233]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso (45 Stat. 179), contained in section 1, title I, of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes", approved March 5, 1928, Public Law Numbered 93, Seventieth Congress (45 Stat. 162), requiring that the old post office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Kentucky, shall not be sold for an amount less than \$2,500,000, is hereby repealed.

Louisville, Ky., post office, etc.  
Limitation on sale price of old building repealed.  
45 Stat. 179.

Approved, July 30, 1937.

## [CHAPTER 545]

## AN ACT

To amend the laws relating to enlistments in the Coast Guard, and for other purposes.

July 30, 1937  
[H. R. 6916]  
[Public, No. 234]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of May 26, 1906, as amended (34 Stat. 200; U. S. C., 1934 edition, title 14, sec. 35), is hereby further amended to read as follows:

"(a) That all persons composing the enlisted force of the Coast Guard shall be enlisted for a term not to exceed three years, in the discretion of the Secretary of the Treasury, who shall prepare regulations governing such enlistments and for the general government of the service: *Provided*, That an enlistment in the Coast Guard shall not be regarded as complete until the enlisted man concerned shall have served any time, in excess of one day, lost on account of unauthorized absence from duty, or injury, sickness, or disease,

Coast Guard, enlistments.  
34 Stat. 200.  
14 U. S. C. § 35.

Term. Regulations gov-  
erning.

*Proviso.*  
Requirements for  
completing term.

resulting from his own intemperate use of drugs or alcoholic liquors, or other misconduct, or while in confinement under sentence, or while awaiting trial and disposition of his case if the trial results in conviction.

Extension, by voluntary written agreement.

Pay and allowances.

Temporary detention beyond term of enlistment.

"(b) The term of enlistment of any enlisted man in the Coast Guard may, by his voluntary written agreement, under such regulations as may be prescribed by the Secretary of the Treasury, be extended for a period of one, two or three full years from the date of expiration of the then-existing term of enlistment, and subsequent to said date an enlisted man who extends his term of enlistment as herein authorized shall be entitled to and shall receive the same pay and allowances in all respects as though regularly discharged and reenlisted immediately upon expiration of his term of enlistment. No such extension shall operate to deprive the enlisted man concerned, upon discharge at the termination thereof, of any right, privilege, or benefit to which he would have been entitled if his term of enlistment had not been so extended.

"(c) The commanding officer of any vessel of the Coast Guard is authorized, in his discretion, to detain an enlisted man beyond the term of his enlistment until the first arrival of the vessel at its permanent station, or at a port in a State of the United States or in the District of Columbia, unless, in his opinion, the detention of such person for a further period is essential to the public interests, in which case he may detain him for a further period, not exceeding thirty days, after arrival at such station or port. Any person so detained shall be subject in all respects to the laws and regulations for the government of the Coast Guard until his discharge therefrom."

Public Health Service, hospitals.

28 Stat. 229.  
24 U. S. C. § 8.

Admittance of Coast Guard personnel.

Dependents, etc.

Collections for hospitalization, use of.

Act repealed.

45 Stat. 603.  
14 U. S. C. § 179.

Admission to citizenship.  
Filipinos in Coast Guard.

SEC. 2. The Act entitled "An Act extending the benefits of the Marine hospitals to the keepers and crews of life saving stations", approved August 4, 1894, as amended (28 Stat. 229; U. S. C., 1934 edition, title 24, sec. 8), is hereby further amended to read as follows:

"(a) Under such regulations as may be prescribed by the President, upon the recommendation of the Surgeon General with the approval of the Secretary of the Treasury, all commissioned officers, chief warrant officers, warrant officers, cadets, and enlisted men of the Coast Guard, including those on shore duty and those on detached duty, whether on active duty or retired, shall be entitled to medical, surgical, and dental treatment and hospitalization by the Public Health Service; and the dependent members of families of officers and enlisted men of the Coast Guard shall be furnished medical advice and out-patient treatment by the Public Health Service at its first-, second-, and third-class relief stations, and such dependent members of families shall be furnished hospitalization at marine hospitals, if suitable accommodations are available, at a per-diem cost to the officer or enlisted man concerned equivalent to the uniform per-diem reimbursement rate for Government hospitals as approved by the President for each fiscal year. Collections of the Public Health Service for the hospitalization of such dependent members of families shall be credited to the applicable appropriation for the operation of marine hospitals and relief stations.

"(b) The Act entitled 'An Act to extend medical and hospital relief to retired officers and retired enlisted men of the United States Coast Guard', approved May 18, 1928 (45 Stat. 603; U. S. C., 1934 edition, title 14, sec. 179), is hereby repealed."

SEC. 3. Subdivision "Seventh" of section 4 of the Act entitled "An Act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States", approved June 29, 1906, as amended

(34 Stat. 598; U. S. C., 1934 edition, title 8, sec. 388), is hereby further amended by inserting in line 4 thereof, after the words "Naval Auxiliary Service", the words "or the Coast Guard".

SEC. 4. Section 12 of the Act entitled "An Act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes", approved July 2, 1926 (44 Stat. 789; U. S. C., 1934 edition, title 10, sec. 1429), is hereby amended by inserting in line 8 thereof, after the words "United States Navy", the words "or with the United States Coast Guard".

SEC. 5. Section 2 of the Act of June 23, 1906, as amended (34 Stat. 452; U. S. C., 1934 edition, title 14, sec. 15), is hereby further amended by inserting the following sentence at the end thereof: "A cadet, upon admission to the Coast Guard Academy, shall be credited with the sum of \$250 to cover the cost of his initial clothing and equipment issued, to be deducted subsequently from his pay in accordance with regulations prescribed by the Secretary of the Treasury."

SEC. 6. Section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended (28 Stat. 205; U. S. C., 1934 edition, title 5, sec. 62), is hereby further amended by inserting in line 12 thereof, following the word "Navy", the words "or the Coast Guard".

Approved, July 30, 1937.

40 Stat. 542.  
8 U. S. C. § 388.

Distinguished flying cross.  
Provisions of awarding, extended to Coast Guard.  
44 Stat. 789.  
10 U. S. C. § 1429.

Coast Guard cadets.  
Initial clothing, etc., allowance.  
34 Stat. 452.  
14 U. S. C. § 15.

Duplication of offices.  
Exception to restrictions on, extended to Coast Guard.  
28 Stat. 205.  
5 U. S. C. § 62.

#### [CHAPTER 546]

#### AN ACT

To authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, New York, including certain appurtenant structures, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce is hereby authorized to convey to the Commissioners of the Palisades Interstate Park, for use for public-park purposes, certain portions of the Stony Point Light Station Reservation, State of New York, including certain appurtenant structures, which are not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portions of the reservation transferred. The deed of conveyance shall also contain a clause that should the property so transferred at any time cease to be used for park purposes or for some other wholly public use, title thereto shall revert to the United States.

SEC. 2. In exchange for the property to be transferred the Commissioners of the Palisades Interstate Park shall transfer title to the United States to the dwelling now erected on the portion of land retained by the United States for lighthouse purposes. The United States also reserves the rights-of-way over, underground, or across the area to be transferred for any use whatsoever in conducting the Lighthouse Service or other activities of the Government.

Approved, July 30, 1937.

July 30, 1937  
[H. R. 7401]  
[Public, No. 235]

Palisades Interstate Park, N. Y.  
Conveyance of certain property to.

Reversionary provision.

Property transferred in exchange.

Rights-of-way reserved.

## [CHAPTER 547]

## AN ACT

To adjust the pay of certain Coast Guard officers on the retired list who were retired because of physical disability originating in line of duty in time of war.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 1, as amended, of the Act of June 21, 1930 (46 Stat. 793, ch. 563), any officer of the Coast Guard who has been retired since September 3, 1921, but prior to March 4, 1925, by reason of physical disability which originated in line of duty at any time between April 6, 1917, and March 3, 1921, inclusive, while holding higher temporary rank in the Coast Guard, shall receive from the date of the approval of this Act the pay of the rank he holds on the retired list.

Approved, July 30, 1937.

## [CHAPTER 548]

## JOINT RESOLUTION

Authorizing Federal participation in the Seventh World's Poultry Congress and Exposition to be held in the United States in 1939.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That pursuant to section 2 of Public Resolution Numbered 113, approved June 20, 1936 (49 Stat. 1568), authorizing and requesting the President to extend to the World's Poultry Science Association an invitation to hold the Seventh World's Poultry Congress and Exposition in the United States in 1939, and to extend an invitation to foreign<sup>1</sup> governments to participate in and be represented by delegates and exhibits in such congress and exposition, the sum of \$100,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of such meeting, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses within the United States (and by indirect routes and by airplane if specifically authorized by the Secretary of State); purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; government exhibits; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified: *Provided*, That the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof any part of the funds appropriated pursuant to this Act for direct expenditure by such department or establishment for the purposes specified in this Act.

Approved, July 30, 1937.

<sup>1</sup> So in original.

July 30, 1937  
[H. R. 7611]  
[Public, No. 236]

Coast Guard.  
Pay of certain retired officers who held higher temporary rank during time of war.  
46 Stat. 793.  
10 U. S. C. § 1028a;  
34 U. S. C. § 399c.

July 30, 1937  
[H. J. Res. 365]  
[Pub. Res., No. 56]

Seventh World's Poultry Congress and Exposition.  
49 Stat. 1568.

Sum authorized for expenses.  
Post, p. 771.

Contracts without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of other appropriations.

Proviso.  
Transfer permitted.

## [CHAPTER 552]

## AN ACT

Granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

August 2, 1937

[S. 534]

[Public, No. 237]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That consent of Congress is hereby given to the States of Montana and Wyoming to negotiate and enter into a compact, or agreement, not later than June 1, 1939, providing for an equitable division and apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of proceedings and of any compact or agreement entered into: *Provided*, That such compact or agreement shall not be binding or obligatory upon either of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof.

Yellowstone River.  
Consent given to compact by Montana and Wyoming for division of waters of.

Federal representative to participate; report to Congress.

*Provisos.*  
Approval.

Not applicable to waters within, etc., Yellowstone National Park.

Approved, August 2, 1937.

## [CHAPTER 553]

## AN ACT

To impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording.

August 2, 1937

[H. R. 6906]

[Public, No. 238]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when used in this Act—

Marihuana Tax Act of 1937.

(a) The term "person" means an individual, a partnership, trust, association, company, or corporation and includes an officer or employee of a trust, association, company, or corporation, or a member or employee of a partnership, who, as such officer, employee, or member, is under a duty to perform any act in respect of which any violation of this Act occurs.

Definitions.  
"Person."

(b) The term "marihuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

"Marihuana."

(c) The term "producer" means any person who (1) plants, cultivates, or in any way facilitates the natural growth of marihuana; or (2) harvests and transfers or makes use of marihuana.

"Producer."

(d) The term "Secretary" means the Secretary of the Treasury and the term "collector" means collector of internal revenue.

"Secretary;" "collector."

(e) The term "transfer" or "transferred" means any type of disposition resulting in a change of possession but shall not include a transfer to a common carrier for the purpose of transporting marihuana.

"Transfer" or "transferred."

SEC. 2. (a) Every person who imports, manufactures, produces, compounds, sells, deals in, dispenses, prescribes, administers, or gives

Special occupational tax levied.



away marihuana shall (1) within fifteen days after the effective date of this Act, or (2) before engaging after the expiration of such fifteen-day period in any of the above-mentioned activities, and (3) thereafter, on or before July 1 of each year, pay the following special taxes respectively:

(1) Importers, manufacturers, and compounders of marihuana, \$24 per year.

(2) Producers of marihuana (except those included within subdivision (4) of this subsection), \$1 per year, or fraction thereof, during which they engage in such activity.

(3) Physicians, dentists, veterinary surgeons, and other practitioners who distribute, dispense, give away, administer, or prescribe marihuana to patients upon whom they in the course of their professional practice are in attendance, \$1 per year or fraction thereof during which they engage in any of such activities.

(4) Any person not registered as an importer, manufacturer, producer, or compounder who obtains and uses marihuana in a laboratory for the purpose of research, instruction, or analysis, or who produces marihuana for any such purpose, \$1 per year, or fraction thereof, during which he engages in such activities.

(5) Any person who is not a physician, dentist, veterinary surgeon, or other practitioner and who deals in, dispenses, or gives away marihuana, \$3 per year: *Provided*, That any person who has registered and paid the special tax as an importer, manufacturer, compounder, or producer, as required by subdivisions (1) and (2) of this subsection, may deal in, dispense, or give away marihuana imported, manufactured, compounded, or produced by him without further payment of the tax imposed by this section.

(b) Where a tax under subdivision (1) or (5) is payable on July 1 of any year it shall be computed for one year; where any such tax is payable on any other day it shall be computed proportionately from the first day of the month in which the liability for the tax accrued to the following July 1.

(c) In the event that any person subject to a tax imposed by this section engages in any of the activities enumerated in subsection (a) of this section at more than one place, such person shall pay the tax with respect to each such place.

(d) Except as otherwise provided, whenever more than one of the activities enumerated in subsection (a) of this section is carried on by the same person at the same time, such person shall pay the tax for each such activity, according to the respective rates prescribed.

(e) Any person subject to the tax imposed by this section shall, upon payment of such tax, register his name or style and his place or places of business with the collector of the district in which such place or places of business are located.

(f) Collectors are authorized to furnish, upon written request, to any person a certified copy of the names of any or all persons who may be listed in their respective collection districts as special taxpayers under this section, upon payment of a fee of \$1 for each one hundred of such names or fraction thereof upon such copy so requested.

SEC. 3. (a) No employee of any person who has paid the special tax and registered, as required by section 2 of this Act, acting within the scope of his employment, shall be required to register and pay such special tax.

(b) An officer or employee of the United States, any State, Territory, the District of Columbia, or insular possession, or political subdivision, who, in the exercise of his official duties, engages in any of the activities enumerated in section 2 of this Act shall not be required to register or pay the special tax, but his right to this

Nonprofessional,  
etc., use.

*Proviso.*  
Registered dealers,  
etc.

Computation of tax.

More than one place  
of business.

More than one ac-  
tivity.

Registration re-  
quirements.

Furnishing of lists;  
payment of fee.

Employees of regis-  
tered persons.

Public officials ex-  
empted.

exemption shall be evidenced in such manner as the Secretary may by regulations prescribe.

SEC. 4. (a) It shall be unlawful for any person required to register and pay the special tax under the provisions of section 2 to import, manufacture, produce, compound, sell, deal in, dispense, distribute, prescribe, administer, or give away marihuana without having so registered and paid such tax.

(b) In any suit or proceeding to enforce the liability imposed by this section or section 2, if proof is made that marihuana was at any time growing upon land under the control of the defendant, such proof shall be presumptive evidence that at such time the defendant was a producer and liable under this section as well as under section 2.

SEC. 5. It shall be unlawful for any person who shall not have paid the special tax and registered, as required by section 2, to send, ship, carry, transport, or deliver any marihuana within any Territory, the District of Columbia, or any insular possession, or from any State, Territory, the District of Columbia, any insular possession of the United States, or the Canal Zone, into any other State, Territory, the District of Columbia, or insular possession of the United States: *Provided*, That nothing contained in this section shall apply to any common carrier engaged in transporting marihuana; or to any employee of any person who shall have registered and paid the special tax as required by section 2 while acting within the scope of his employment; or to any person who shall deliver marihuana which has been prescribed or dispensed by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2, who has been employed to prescribe for the particular patient receiving such marihuana; or to any United States, State, county, municipal, District, Territorial, or insular officer or official acting within the scope of his official duties.

SEC. 6. (a) It shall be unlawful for any person, whether or not required to pay a special tax and register under section 2, to transfer marihuana, except in pursuance of a written order of the person to whom such marihuana is transferred, on a form to be issued in blank for that purpose by the Secretary.

(b) Subject to such regulations as the Secretary may prescribe, nothing contained in this section shall apply—

(1) To a transfer of marihuana to a patient by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2, in the course of his professional practice only: *Provided*, That such physician, dentist, veterinary surgeon, or other practitioner shall keep a record of all such marihuana transferred, showing the amount transferred and the name and address of the patient to whom such marihuana is transferred, and such record shall be kept for a period of two years from the date of the transfer of such marihuana, and subject to inspection as provided in section 11.

(2) To a transfer of marihuana, made in good faith by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2: *Provided*, That such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner who issues the same: *Provided further*, That such dealer shall preserve such prescription for a period of two years from the day on which such prescription is filled so as to be readily accessible for inspection by the officers, agents, employees, and officials mentioned in section 11.

(3) To the sale, exportation, shipment, or delivery of marihuana by any person within the United States, any Territory, the District of Columbia, or any of the insular possessions of the United States, to any person in any foreign country regulating the entry of mari-

Certain activities without registration and payment of tax, unlawful.

Presumptive evidence of production, and liability therefor.

Shipments, etc., except as prescribed, unlawful.

*Proviso.*  
Exceptions.

Transfer except on written order from transferee unlawful.

Exemptions.

Professional use by physician, etc.

*Proviso.*  
Record to be kept.

Issue on written prescription.

*Proviso.*  
Details required.

Preservation.

Exportation to a country regulating entry.

Promulgation of rules. huana, if such sale, shipment, or delivery of marihuana is made in accordance with such regulations for importation into such foreign country as are prescribed by such foreign country, such regulations to be promulgated from time to time by the Secretary of State of the United States.

Use by public officials. (4) To a transfer of marihuana to any officer or employee of the United States Government or of any State, Territorial, District, county, or municipal or insular government lawfully engaged in making purchases thereof for the various departments of the Army and Navy, the Public Health Service, and for Government, State, Territorial, District, county, or municipal or insular hospitals or prisons.

Transfer of seeds to registered person. (5) To a transfer of any seeds of the plant *Cannabis sativa* L. to any person registered under section 2.

Order forms; preparation, sale, etc. (c) The Secretary shall cause suitable forms to be prepared for the purposes before mentioned and shall cause them to be distributed to collectors for sale. The price at which such forms shall be sold by said collectors shall be fixed by the Secretary, but shall not exceed 2 cents each. Whenever any collector shall sell any of such forms he shall cause the date of sale, the name and address of the proposed vendor, the name and address of the purchaser, and the amount of marihuana ordered to be plainly written or stamped thereon before delivering the same.

Use of. (d) Each such order form sold by a collector shall be prepared by him and shall include an original and two copies, any one of which shall be admissible in evidence as an original. The original and one copy shall be given by the collector to the purchaser thereof. The original shall in turn be given by the purchaser thereof to any person who shall, in pursuance thereof, transfer marihuana to him and shall be preserved by such person for a period of two years so as to be readily accessible for inspection by any officer, agent, or employee mentioned in section 11. The copy given to the purchaser by the collector shall be retained by the purchaser and preserved for a period of two years so as to be readily accessible to inspection by any officer, agent, or employee mentioned in section 11. The second copy shall be preserved in the records of the collector.

Tax on transfers. *Ante*, p. 553.

SEC. 7. (a) There shall be levied, collected, and paid upon all transfers of marihuana which are required by section 6 to be carried out in pursuance of written order forms taxes at the following rates:

Rates. (1) Upon each transfer to any person who has paid the special tax and registered under section 2 of this Act, \$1 per ounce of marihuana or fraction thereof.

(2) Upon each transfer to any person who has not paid the special tax and registered under section 2 of this Act, \$100 per ounce of marihuana or fraction thereof.

Payment by transferee; by transferor.

(b) Such tax shall be paid by the transferee at the time of securing each order form and shall be in addition to the price of such form. Such transferee shall be liable for the tax imposed by this section but in the event that the transfer is made in violation of section 6 without an order form and without payment of the transfer tax imposed by this section, the transferor shall also be liable for such tax.

Payment by means of stamps.

(c) Payment of the tax herein provided shall be represented by appropriate stamps to be provided by the Secretary and said stamps shall be affixed by the collector or his representative to the original order form.

Provisions of law made applicable. Internal revenue stamps.

(d) All provisions of law relating to the engraving, issuance, sale, accountability, cancelation, and destruction of tax-paid stamps provided for in the internal-revenue laws shall, insofar as applicable and

not inconsistent with this Act, be extended and made to apply to stamps provided for in this section.

(e) All provisions of law (including penalties) applicable in respect of the taxes imposed by the Act of December 17, 1914 (38 Stat. 785; U. S. C., 1934 ed., title 26, secs. 1040–1061, 1383–1391), as amended, shall, insofar as not inconsistent with this Act, be applicable in respect of the taxes imposed by this Act.

SEC. 8. (a) It shall be unlawful for any person who is a transferee required to pay the transfer tax imposed by section 7 to acquire or otherwise obtain any marihuana without having paid such tax; and proof that any person shall have had in his possession any marihuana and shall have failed, after reasonable notice and demand by the collector, to produce the order form required by section 6 to be retained by him, shall be presumptive evidence of guilt under this section and of liability for the tax imposed by section 7.

(b) No liability shall be imposed by virtue of this section upon any duly authorized officer of the Treasury Department engaged in the enforcement of this Act or upon any duly authorized officer of any State, or Territory, or of any political subdivision thereof, or the District of Columbia, or of any insular possession of the United States, who shall be engaged in the enforcement of any law or municipal ordinance dealing with the production, sale, prescribing, dispensing, dealing in, or distributing of marihuana.

SEC. 9. (a) Any marihuana which has been imported, manufactured, compounded, transferred, or produced in violation of any of the provisions of this Act shall be subject to seizure and forfeiture and, except as inconsistent with the provisions of this Act, all the provisions of internal-revenue laws relating to searches, seizures, and forfeitures are extended to include marihuana.

(b) Any marihuana which may be seized by the United States Government from any person or persons charged with any violation of this Act shall upon conviction of the person or persons from whom seized be confiscated by and forfeited to the United States.

(c) Any marihuana seized or coming into the possession of the United States in the enforcement of this Act, the owner or owners of which are unknown, shall be confiscated by and forfeited to the United States.

(d) The Secretary is hereby directed to destroy any marihuana confiscated by and forfeited to the United States under this section or to deliver such marihuana to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulations as may be prescribed by the Secretary.

SEC. 10. (a) Every person liable to any tax imposed by this Act shall keep such books and records, render under oath such statements, make such returns, and comply with such rules and regulations as the Secretary may from time to time prescribe.

(b) Any person who shall be registered under the provisions of section 2 in any internal-revenue district shall, whenever required so to do by the collector of the district, render to the collector a true and correct statement or return, verified by affidavits, setting forth the quantity of marihuana received or harvested by him during such period immediately preceding the demand of the collector, not exceeding three months, as the said collector may fix and determine. If such person is not solely a producer, he shall set forth in such statement or return the names of the persons from whom said marihuana was received, the quantity in each instance received from such persons, and the date when received.

SEC. 11. The order forms and copies thereof and the prescriptions and records required to be preserved under the provisions of section

Narcotic Drug Act.  
38 Stat. 785.  
26 U. S. C. §§ 1040-  
1061, 1383-1391.

Transferee required  
to pay transfer tax  
failing to pay, etc.

Proof of possession.

No liability on en-  
forcement officer.

Forfeiture of contra-  
band marihuana.

Confiscation of sei-  
zures.

Destruction, etc.

Records, returns,  
etc.

Statements by reg-  
istered persons.

Order forms, pre-  
scriptions, etc.; in-  
spection.

Copies of returns.	6, and the statements or returns filed in the office of the collector of the district under the provisions of section 10 (b) shall be open to inspection by officers, agents, and employees of the Treasury Department duly authorized for that purpose, and such officers of any State, or Territory, or of any political subdivision thereof, or the District of Columbia, or of any insular possession of the United States as shall be charged with the enforcement of any law or municipal ordinance regulating the production, sale, prescribing, dispensing, dealing in, or distributing of marihuana. Each collector shall be authorized to furnish, upon written request, copies of any of the said statements or returns filed in his office to any of such officials of any State or Territory, or political subdivision thereof, or the District of Columbia, or any insular possession of the United States as shall be entitled to inspect the said statements or returns filed in the office of the said collector, upon the payment of a fee of \$1 for each 100 words or fraction thereof in the copy or copies so requested.
Penalty provisions.	SEC. 12. Any person who is convicted of a violation of any provision of this Act shall be fined not more than \$2,000 or imprisoned not more than five years, or both, in the discretion of the court.
Negating exemption in indictment, etc.	SEC. 13. It shall not be necessary to negative any exemptions set forth in this Act in any complaint, information, indictment, or other writ or proceeding laid or brought under this Act and the burden of proof of any such exemption shall be upon the defendant. In the absence of the production of evidence by the defendant that he has complied with the provisions of section 2 relating to registration or that he has complied with the provisions of section 6 relating to order forms, he shall be presumed not to have complied with such provisions of such sections, as the case may be.
Rules to be prescribed. <i>Post</i> , p. 772.	SEC. 14. The Secretary is authorized to make, prescribe, and publish all necessary rules and regulations for carrying out the provisions of this Act and to confer or impose any of the rights, privileges, powers, and duties conferred or imposed upon him by this Act upon such officers or employees of the Treasury Department as he shall designate or appoint.
Scope of Act.	SEC. 15. The provisions of this Act shall apply to the several States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, and the insular possessions of the United States, except the Philippine Islands. In Puerto Rico the administration of this Act, the collection of the special taxes and transfer taxes, and the issuance of the order forms provided for in section 6 shall be performed by the appropriate internal-revenue officers of that government, and all revenues collected under this Act in Puerto Rico shall accrue intact to the general government thereof. The President is hereby authorized and directed to issue such Executive orders as will carry into effect in the Virgin Islands the intent and purpose of this Act by providing for the registration with appropriate officers and the imposition of the special and transfer taxes upon all persons in the Virgin Islands who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana.
Virgin Islands.	SEC. 16. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.
Savings clause.	SEC. 17. This Act shall take effect on the first day of the second month after the month during which it is enacted.
Effective date.	SEC. 18. This Act may be cited as the "Marihuana Tax Act of 1937."
Short title.	Approved, August 2, 1937.

## [CHAPTER 554]

## AN ACT

To permit the erection of the Shenandoah Memorial in or near Ava, Ohio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah", approved May 22, 1936, is hereby amended to read as follows: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to erect in or near Ava, Ohio, a suitable tablet or marker to commemorate the heroic services rendered by Commander Landsdowne and other members of the crew who died when the Navy dirigible Shenandoah was destroyed."

Approved, August 2, 1937.

August 2, 1937  
[H. R. 7564]  
[Public, No. 239]

Shenandoah Memorial, Ava, Ohio.  
Location modified.  
49 Stat. 1371.  
Post, p. 775.

## [CHAPTER 556]

## AN ACT

For the protection of oyster culture in Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act of Congress approved June 6, 1924, entitled "An Act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended by the Act of Congress approved June 18, 1926 (44 Stat. 752), is further amended by striking the period after the words "Alaskan Territorial waters", where they occur at the end of the second proviso, and inserting a colon in lieu thereof and after the colon the following: "*Provided further*, That the Secretary of Commerce, in his discretion, and upon such terms and conditions as he may deem fair and reasonable, is hereby authorized to lease bottoms in Alaskan Territorial waters for bona fide oyster cultivation for commercial purposes."

Approved, August 2, 1937.

August 2, 1937  
[H. R. 1561]  
[Public, No. 240]

Alaska fisheries.  
43 Stat. 464; 44 Stat. 752.  
Leasing of bottoms for commercial cultivation of oysters, authorized.

## [CHAPTER 557]

## AN ACT

To authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized to construct a Federal reclamation project for the irrigation of the lands of the Arch Hurley Conservancy District in New Mexico under the Federal reclamation laws: *Provided*, That construction work is not to be initiated on said irrigation project until (a) the project shall have been found to be feasible under subsection B of section 4 of the Act of December 5, 1924 (43 Stat. 702), and (b) a contract shall have been executed with an irrigation or conservation district embracing the land to be irrigated under said project, which contract shall obligate the contracting district to repay the cost of construction of said project in forty equal annual installments, without interest: (c) contracts shall have been made with each owner of more than one hundred and sixty irrigable acres under said project, by which he, his successors, and assigns shall be obligated to sell all of his land in excess of one hundred and sixty irrigable acres at or below prices fixed by the Secretary of the Interior and within the time to be fixed by said Secretary, no

August 2, 1937  
[S. 2086]  
[Public, No. 241]

Arch Hurley Conservancy District, N. Mex.  
Construction of reclamation project authorized.  
*Proviso*.  
Feasibility to be first ascertained.

43 Stat. 702.  
Contract.

Conditions imposed.

Payments from land sales.

water to be furnished to the land of any such large landowner refusing or failing to execute such contract; and (d) contracts shall have been made with all owners of lands to be irrigated under the project by which they will agree that if their land is sold at prices above the appraised value thereof, approved by said Secretary, one-half of such excess shall be paid to the United States to be applied in the inverse order of the due dates upon the construction charge installments coming due thereafter from the owners of said land.

Approved, August 2, 1937.

[CHAPTER 563]

AN ACT

August 4, 1937  
[S. 2416]

[Public, No. 242]

Relating to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama.

Canal Zone or Republic of Panama.  
Citizenship of person born of an American parent on or after February 26, 1904.

Parent employed by U. S. or Panama Railroad Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person born in the Canal Zone on or after February 26, 1904, and whether before or after the effective date of this Act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States, is declared to be a citizen of the United States.

SEC. 2. Any person born in the Republic of Panama on or after February 26, 1904, and whether before or after the effective date of this Act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States employed by the Government of the United States or by the Panama Railroad Company, is declared to be a citizen of the United States.

Approved, August 4, 1937.

[CHAPTER 564]

AN ACT

August 4, 1937  
[S. 774]

[Public, No. 243]

To incorporate the Marine Corps League.

Marine Corps League.  
Incorporators.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Major General John A. Lejeune, United States Marine Corps, retired, honorary national commandant; Maurice A. Ilch, national commandant; Roy S. Taylor, senior national vice commandant; Kenneth B. Collings, junior national vice commandant; Alexander F. Ormsby, national judge advocate; Reverend John H. Clifford, national chaplain; Edward A. Walker, national sergeant at arms; John B. Hinckley, Junior, national adjutant and paymaster; John E. Brock, national chief of staff, are hereby created a body corporate of the name "Marine Corps League."

Purposes.

SEC. 2. That the purposes of this corporation shall be (a) to preserve the traditions and to promote the interests of the United States Marine Corps; (b) to band those who are now serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy; (c) to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms; (d) to hold sacred the history and memory of the men who have given their lives to the Nation; (e) to foster love for the principles which they have supported by blood and valor since the founding of the Republic; (f) to maintain true allegiance to American institutions; (g) to create a bond of comradeship between those in service and those who have returned to civil life; (h) to aid

voluntarily and to render assistance to all marines and former marines as well as to their widows and orphans; (i) to perpetuate the history of the United States Marine Corps and by fitting acts to observe the anniversaries of historical occasions of peculiar interest to marines.

SEC. 3. That the corporation (a) shall have perpetual succession; (b) may charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the organization; (c) may sue or may be sued; (d) may adopt a corporate seal and alter it at pleasure; (e) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (f) may establish and maintain offices for the conduct of its business; (g) may appoint or elect officers and agents; (h) may choose a board of trustees, consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (i) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of such real and personal property as may be necessary or appropriate for its corporate purposes; and (j) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

General corporate powers.

SEC. 4. That the corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such reports shall not be printed as public documents.

Annual report to Congress.

SEC. 5. That the right to alter, amend, or repeal this Act at any time is hereby expressly reserved.

Amendment, etc.

Approved, August 4, 1937.

[CHAPTER 565]

AN ACT

To provide for, foster, and aid in coordinating research relating to cancer; to establish the National Cancer Institute; and for other purposes.

August 5, 1937  
[S. 2067]  
[Public, No. 244]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of conducting researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of cancer; assisting and fostering similar research activities by other agencies, public and private; and promoting the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of cancer, there is hereby established in the Public Health Service a division which shall be known as the National Cancer Institute (hereinafter referred to as the "Institute").

National Cancer Institute Act.  
National Cancer Institute established as a division in the Public Health Service.

SEC. 2. The Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") is authorized and directed for the purposes of this Act and subject to its provisions, through the Institute and in cooperation with the National Cancer Advisory Council hereinafter established—

Surgeon General, authority and duties.

(a) To conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of cancer;

Researches, etc.

(b) To promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals;

Coordination of, with other agencies, etc.



Radium, procurement, etc., of.  
Instruction in technical matters.

Fellowships.

Consultations, etc.

Cooperation with  
State agencies.

National Advisory  
Cancer Council; creation,  
composition, etc.

Terms of office.

Service restrictions  
and provisions.

Compensation, etc.

Powers and duties  
of the Council.  
Review of research  
projects, etc.

Collection and dissemination of information.

Review of applications of grants-in-aid  
for research projects.

Acceptance of conditional gifts.  
*Post*, p. 561.

- (c) To procure, use, and lend radium as hereinafter provided;
- (d) To provide training and instruction in technical matters relating to the diagnosis and treatment of cancer;
- (e) To provide fellowships in the Institute from funds appropriated or donated for such purpose;
- (f) To secure for the Institute consultation services and advice of cancer experts from the United States and abroad; and
- (g) To cooperate with State health agencies in the prevention, control, and eradication of cancer.

SEC. 3. There is hereby created the National Advisory Cancer Council (herein referred to as the "Council"), to consist of six members to be appointed by the Surgeon General with the approval of the Secretary of the Treasury, and of the Surgeon General, ex officio, who shall be chairman of the Council. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of cancer in the United States. Each appointed member shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year after the date of the first meeting of the Council. No appointed member shall be eligible to serve continuously for more than three years but shall be eligible for reappointment if he has not served as a member of the Council at any time within twelve months immediately preceding his reappointment. Each appointed member shall receive compensation at the rate of \$25 per day during the time spent in attending meetings of the Council and for the time devoted to official business of the Council under this Act, and actual and necessary traveling and subsistence expenses while away from his place of residence upon official business under this Act.

#### SEC. 4. The Council is authorized—

(a) To review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of cancer, and certify approval to the Surgeon General for prosecution under section 2 (a) hereof any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of cancer;

(b) To collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of cancer, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

(c) To review applications from any university, hospital, laboratory, or other institution, whether public or private, or from individuals, for grants-in-aid for research projects relating to cancer, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of cancer;

(d) To recommend to the Secretary of the Treasury for acceptance conditional gifts pursuant to section 6; and

(e) To make recommendations to the Surgeon General with respect to carrying out the provisions of this Act.

Administrative recommendations.

SEC. 5. In carrying out the provisions of section 2 the Surgeon General is authorized—

(a) With the approval of the Secretary of the Treasury, to purchase radium, from time to time, without regard to section 3709 of the Revised Statutes; to make such radium available for use in carrying out the purposes of this Act; and, for such consideration and subject to such conditions as the Secretary of the Treasury shall prescribe, to lend such radium to institutions, now existing or hereafter established in the United States for the study of the cause, prevention, or methods of diagnosis or treatment of cancer, or for the treatment of cancer;

Purchase of radium without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.  
Availability.  
Use of, for study, etc.

(b) To provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis and treatment of cancer to such persons as in the opinion of the Surgeon General have proper technical training and shall be designated by him for such training or instruction; such persons while receiving training or instruction may, with the approval of the Surgeon General, receive a per-diem allowance to be fixed by the Surgeon General but not to exceed \$10;

Providing facilities for instruction.

(c) To establish and maintain, with the approval of the Secretary of the Treasury, research fellowships in the Institute with such stipends or allowances (including traveling and subsistence expenses) as the Surgeon General may deem necessary to procure the assistance of the most brilliant and promising research fellows from the United States or abroad;

Research fellowships.

(d) To secure for the Institute, from time to time and for such periods as may be advisable, the assistance and advice of experts, scholars, and consultants from the United States or abroad who are learned and experienced in the problems involved in accomplishing the purposes of this Act;

Experts, consultants, etc.

(e) To make grants in aid for research projects certified by the Council pursuant to section 4 (c); and

Grants in aid for research projects.

(f) To adopt, upon recommendation of the Council and with the approval of the Secretary of the Treasury, such additional means as the Surgeon General may deem necessary or appropriate to carry out the provisions of sections 1 and 2 of this Act.

Adoption of additional means of administration.

SEC. 6. The Secretary of the Treasury is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for study, investigation, or research into the cause, prevention, and methods of diagnosis and treatment of cancer, or for the acquisition of grounds or for the erection, equipment, and maintenance of premises, buildings, and equipment for the Institute. Conditional gifts may be accepted by the Secretary if recommended by the Surgeon General and the Council. Any such gifts, if in money, shall be held in trusts and shall be invested by the Secretary of the Treasury in securities of the United States, and the principal or income thereof shall be expended by the Surgeon General, with the approval of the Secretary of the Treasury, for the purposes prescribed by this Act, subject to the same examination and audit as provided for appropriations made for the Public Health Service by Congress. Donations of \$500,000 or over in aid of research under this Act shall be acknowledged permanently by the establishment within the Institute of suitable memorials to the donors.

Unconditional gifts acceptable, for study, etc.

Conditional; money to be held in trusts, etc.  
Investments.

Memorials to donors of \$500,000 or over.

SEC. 7. (a) There is hereby authorized to be appropriated a sum not to exceed \$750,000 for the erection and equipment of a suitable and adequate building and facilities for the use of the Institute in

Sum authorized for building and facilities.

Acquisition of site.	carrying out the provisions of this Act. The Secretary of the Treasury is authorized to acquire, by purchase, condemnation, donation, or otherwise, a suitable and adequate site or sites in or near the District of Columbia for such building and facilities, and to erect thereon, furnish, and equip such buildings and facilities when funds are made available.
Annual sums authorized for administrative purposes. <i>Post</i> , p. 772.	(b) There is hereby authorized to be appropriated the sum of \$700,000 for each fiscal year, beginning with the fiscal year ending June 30, 1938, for the purpose of carrying out the provisions of this Act (except subsection (a) hereof). Sums appropriated pursuant to this subsection may be expended in the District of Columbia for personal services, stenographic recording and translating services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes; traveling expenses (including the expenses of attendance at meetings when specifically authorized by the Surgeon General); rental, supplies and equipment, purchase and exchange of medical books, books of reference, directories, periodicals, newspapers, and press clippings; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding (in addition to that otherwise provided by law); and for all other necessary expenses in carrying out the provisions of this Act.
Services in the District.	SEC. 8. (a) There is hereby authorized to be appointed in the Public Health Service, in accordance with applicable law, such commissioned officers as may be necessary to aid in carrying out the provisions of this Act.
R. S. § 3709. 41 U. S. C. § 5.	(b) This Act shall not be construed as superseding or limiting (1) the functions, under any other Act, of the Public Health Service or any other agency of the United States relating to the study of the prevention, diagnosis, and treatment of cancer; or (2) the expenditure of money therefor.
Miscellaneous.	(c) The Surgeon General with the approval of the Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.
Appointment of commissioned officers.	(d) The Surgeon General shall include in his annual report for transmission to Congress a full report of the administration of this Act, including a detailed statement of receipts and disbursements.
Existing laws not affected.	(e) This Act shall take effect thirty days after the date of its enactment.
Rules and regulations.	(f) This Act may be cited as the "National Cancer Institute Act".
Annual report to Congress.	Approved, August 5, 1937.
Effective date.	
Short title.	

## [CHAPTER 566]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Mississippi.

August 5, 1937  
[S. 2116]  
[Public, No. 245]

Mississippi River.  
Time extended for  
bridging, at Natchez,  
Miss.

49 Stat. 1069, 1255.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near Natchez, Mississippi, authorized to be built by the city of Natchez and county of Adams, State of Mississippi, by the Act of Congress approved August 30, 1935, as amended by the Act of Congress approved May 1, 1936, are hereby extended one and three years, respectively, from August 30, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1937.

## [CHAPTER 567]

## AN ACT

To amend provisions of the Agricultural Marketing Agreement Act of 1937.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Agricultural Marketing Agreement Act of 1937 is amended by adding at the end thereof the following new subsections:

“(k) Section 8c (2) is amended by inserting after the words ‘except the products of naval stores’ the words ‘and the products of honeybees’ and after ‘soybeans’ the following: ‘, honeybees’”.

“(l) Section 8c (6) is amended by inserting after ‘soybeans and their products,’ the following: ‘honeybees,’”

Approved, August 5, 1937.

August 5, 1937

[S. 2147]

[Public, No. 246]

Agricultural Marketing Agreement Act of 1937, amendments. *Ante*, p. 248.

Provisions extended to include honeybees.

## [CHAPTER 568]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, as heretofore extended by Acts of Congress approved August 30, 1935, and January 27, 1936, are further extended one and three years, respectively, from June 13, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1937.

August 5, 1937

[S. 2205]

[Public, No. 247]

Columbia River. Time extended for bridging, at Astoria, Oreg. 48 Stat. 949; 49 Stat. 1066, 1104.

Amendment.

## [CHAPTER 569]

## AN ACT

To amend section 22 of the Act approved March 4, 1925, entitled “An Act providing for sundry matters affecting the naval service, and for other purposes.”

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 22 of the Act approved March 4, 1925 (43 Stat. 1276; U. S. C., title 34, sec. 821), is hereby amended by inserting, in lieu of the words “twelve hundred”, at the end of the section, the words “twenty-four hundred”, so that the section as amended will read:

“SEC. 22. A Naval Reserve Officers’ Training Corps is hereby authorized to be established and operated under such regulations as the President may prescribe, which regulations shall, so far as may be practicable, conform to the provisions of the National Defense Act approved June 3, 1916, sections 40 to 53, inclusive (39 Stat. L. 191-194), as amended by the Act approved June 4, 1920, sections 33 and 34 (41 Stat. L. 776-779): *Provided*, That the powers conferred therein upon the Secretary of War with regard to the Reserve Officers’ Training Corps are hereby conferred upon the Secretary of the Navy with regard to the Naval Reserve Officers’ Training Corps: *Provided further*, That all expenditures in connection with the establishment and operation of the Naval Reserve Officers’ Training Corps shall be specifically appropriated therefor: *Provided further*, That members of the Naval Reserve Officers’ Training Corps shall be eligible for appointment as Naval Reserve officers under the same

August 6, 1937

[S. 1115]

[Public, No. 248]

Naval Reserve Officers’ Training Corps. 43 Stat. 1276. 34 U. S. C. § 821.

Establishment and operation. Regulations for.

39 Stat. 191-194; 41 Stat. 776-779.

*Provisos*. Powers of Secretary of Navy.

Specific appropriations for expenditures.

Eligibility of members as Naval Reserve officers.

Status. conditions as provided by law for the appointment of Naval Reserve officers from other citizens of the United States, and when so appointed shall have the same status and be entitled to the same benefits in all respects as provided by law for other members of the Naval Reserve: *Provided further*, That the word ‘naval’ wherever used in this section shall be construed to include Marine Corps: *And provided further*, That the total personnel of the Naval Reserve Officers’ Training Corps shall not exceed at any one time more than twenty-four hundred.”

Marine Corps included.

Personnel, limit increased.

Approved, August 6, 1937.

[CHAPTER 570]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes.

August 9, 1937  
[H. R. 6958]  
[Public, No. 249]

Interior Department Appropriation Act, 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1938, namely:

OFFICE OF THE SECRETARY

Secretary’s office.

SALARIES

Salaries.

Secretary, Under Secretary, Assistants, and office personnel.  
*Proviso.*  
Salaries limited to average rates under Classification Act.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, \$420,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Exception.

Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfers without reduction.

Payments under higher rates permitted.

If only one position in a grade.

OFFICE OF SOLICITOR

Solicitor’s office.

Personal services.

For personal services in the District of Columbia and in the field, \$280,000.

## DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

For personal services in the District of Columbia, \$56,460.

Division of Territories and Island Possessions.  
Personal services.

## DIVISION OF INVESTIGATIONS

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamplands and indemnity for swamplands; and for traveling expenses of agents and others employed hereunder, \$436,100, including not exceeding \$27,000 for personal services in the District of Columbia; not exceeding \$38,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motorboats for the use of agents and others employed in the field service; and not to exceed \$5,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Division of Investigations.  
Protecting timber and public lands.

Swamplands.

Traveling expenses.

Vehicles and motorboats.

Emergencies.

## DIVISION OF GRAZING

For carrying out the provisions of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), and as amended by the Act of June 26, 1936 (49 Stat. 1976), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, traveling and other necessary expenses, payments for the cost of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior, not to exceed \$55,000 for personal services in the District of Columbia, and not to exceed \$30,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, \$450,000; for payment of a salary of \$5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, \$100,000; in all, \$550,000.

Division of Grazing.

Salaries and expenses.

48 Stat. 1269; 49 Stat. 1976.  
43 U. S. C. § 315; Supp. II, § 315.  
Classification, etc., of lands.

Services in the District.

Advisory committee expenses.

Range improvements.  
48 Stat. 1273; 49 Stat. 1978.  
43 U. S. C. §§ 315i, j; Supp. II, § 315i.

*Proviso.*  
Limitation on expenditure in any district.

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934 (48 Stat., p. 1269) and as amended by the Act of June 26, 1936 (49 Stat., p. 1976), and not including contributions under section 9 of said Act, \$250,000: *Provided*, That expenditures hereunder in any grazing district shall not exceed 25 per centum of all moneys received under the provisions of said Act from such district during the fiscal years 1937 and 1938.

## CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For contingent expenses of the office of the Secretary and the bureaus and offices of the Department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use by messengers not exceeding \$150;

Department contingent expenses.

expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the Department; not exceeding \$500 for the payment of damages caused to private property by Department motor vehicles; not exceeding \$2,500 for the purchase of a motor-propelled passenger-carrying vehicle for the official use of the Secretary of the Interior to be immediately available; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of Department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, \$103,940; and, in addition thereto, sums amounting to \$45,200 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1938 as follows: General Land Office, \$3,500; Geological Survey, \$6,000; Freedmen's Hospital, \$1,000; Saint Elizabeths Hospital, \$2,200; National Park Service, \$10,000; Bureau of Reclamation, \$7,500, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, \$2,000; Bureau of Mines, \$9,000; Division of Grazing, \$4,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of \$103,940, the total appropriation for contingent expenses for the Department and its several bureaus and offices for the fiscal year 1938.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, \$600, and in addition there is hereby made available from any appropriations made for any bureau or office of the Department not to exceed the following respective sums: Indian Service, \$500; Office of Education, \$2,500; Bureau of Reclamation, \$2,000; Geological Survey, \$6,000; National Park Service, \$2,000; General Land Office, \$500; Bureau of Mines, \$3,000.

Furniture, furnishings, and equipment, new Interior Department Building: The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any expenditure authorized under this head in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1619), when the aggregate amount involved is less than \$300.

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, \$243,000, of which \$55,000 shall be for the National

Private property  
damages.  
Vehicles.

Disbarment pro-  
ceedings.

Stationery, etc.

Additional, from  
specified appropri-  
ations.

Professional, etc.,  
books, periodicals, etc.

Additional sums for  
designated offices.

Furniture, equip-  
ment, etc., new build-  
ing.

Purchases without  
advertising, etc.  
R. S. § 3709.  
41 U. S. C. § 5.  
49 Stat. 1619.

Printing and bind-  
ing.

Park Service, \$78,000 for the Bureau of Mines, and \$50,000 for the Office of Education, no part of which shall be available for correspondence instruction.

### COMMISSION OF FINE ARTS

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U. S. C., title 40, sec. 104), including the purchase of periodicals, press clippings, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$9,700, of which amount not to exceed \$6,360 may be expended for personal services in the District of Columbia.

For all printing and binding for the Commission of Fine Arts, \$300.

Total, Commission of Fine Arts, \$10,000.

### GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

The George Rogers Clark Sesquicentennial Commission created by the joint resolution approved May 23, 1928, as amended, shall cease and terminate June 30, 1938, and the unexpended balances of the appropriations heretofore made for carrying out the purposes of such joint resolution, as amended, shall be available until June 30, 1938.

### MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), as amended by the Act approved June 26, 1934 (48 Stat., p. 1223), and the Act approved August 29, 1935 (Public, Numbered 393, Seventy-fourth Congress), \$50,000, of which \$30,000 shall be immediately available, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work had not commenced as of June 22, 1936.

### NATIONAL BITUMINOUS COAL COMMISSION

Salaries and expenses: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, Numbered 48, Seventy-fifth Congress), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Commission, are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed \$12,500 for purchase,

Restriction.

Commission of Fine Arts.

Expenses.  
36 Stat. 371.  
40 U. S. C. § 104.  
Periodicals, etc.

Attendance at meetings, etc.

Printing and binding.

George Rogers Clark Sesquicentennial Commission.

Functions continued.  
45 Stat. 724; 49 Stat. 654.  
Balances available.  
49 Stat. 1112.

Mount Rushmore National Memorial Commission.

Expenses.  
45 Stat. 1300; 48 Stat. 1223.

49 Stat. 962.

Amount immediately available.  
49 Stat. 1760.

*Proviso*.  
Restriction.

National Bituminous Coal Commission.

Salaries and expenses.  
*Ante*, p. 72.

Attendance at meetings, etc.

Stationery, etc.

Printing and binding.  
Witness fees, etc.  
*Ante*, p. 86.  
Vehicles.



exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for use outside the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary by the Commission; and not to exceed \$8,500 for purchase and exchange of newspapers, law books, reference books, and periodicals, \$3,600,000.

**Consumers' Counsel's office.**  
*Note, p. 74.*  
Services, etc., in the District.  
Consumers' Counsel of the National Bituminous Coal Commission, salaries and expenses: For all necessary expenditures of the office of the Consumers' Counsel of the National Bituminous Coal Commission, in performing the duties imposed upon said office of Consumers' Counsel by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, Numbered 48, Seventy-fifth Congress), including personal services and rent in the District of Columbia and elsewhere, traveling expenses, printing and binding, contract stenographic reporting services, stationery and office supplies and equipment, and not to exceed \$1,000 for books and periodicals, \$300,000.

PETROLEUM CONSERVATION DIVISION

**Petroleum Conservation Division.**  
Salaries and expenses.  
49 Stat. 30.  
15 U. S. C., Supp. II, § 715.  
Attendance at meetings, etc.  
Printing and binding.  
Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the Act approved February 22, 1935 (49 Stat., p. 30), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed \$1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$4,000 for printing and binding, not to exceed \$500 for books and periodicals, and not to exceed \$14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$285,000.

WAR MINERALS RELIEF COMMISSION

**War Minerals Relief Commission.**  
Administrative expenses.  
40 Stat. 1272.  
Administrative expenses: For administrative expenses made necessary by section 5 of the Act entitled "An Act to provide relief in cases on contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat., p. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, \$20,000.

GENERAL LAND OFFICE

**General Land Office.**  
Salaries.  
Commissioner, and office personnel.  
Transcribing records.  
Binding records.  
SALARIES  
For Commissioner of the General Land Office and other personal services in the District of Columbia, \$637,700, including one clerk, who shall be designated by the President, to sign land patents.  
Transcribing records: For special personal services in the District of Columbia to transcribe worn and defaced records of the General Land Office, \$10,000.  
Binding records: For personal services in the District of Columbia, purchase and maintenance of equipment, and all other expenses requisite for and incidental to the establishment, operation, and

maintenance of a branch of the Government Printing Office in the Interior Building, to bind, rebind, and repair books of record in the General Land Office, to be expended under the supervision of the Public Printer, \$10,000.

#### GENERAL EXPENSES

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead Acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise of official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, \$15,000.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, \$1,000,000, including not to exceed \$5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed \$5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation fund, or special deposit.

Registers: For salaries and commissions of registers of district land offices, \$74,000.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, \$160,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, \$2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

General expenses.

Traveling expenses, maps, etc.

Restoration of lands to public domain.

Hearings.

Surveying public lands.

Vehicles.

*Provisos.*  
Temporarily detailed employees.

Oregon and California Railroad and Coos Bay Wagon Road lands.

Other surveys; reimbursable.

Registers.

Contingent expenses, land offices.

*Proviso.*  
Restriction.

Payments to States from sales of public lands.

*Proviso.*  
Expenditures limited.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Coos Bay Wagon Road lands, etc.  
Payment of proceeds of sales of.

40 Stat. 1179.

*Proviso.*  
Expenditures limited.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Payments in lieu of taxes.  
Oregon and California grant lands.  
44 Stat. 915.

*Proviso.*  
Limitation.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Oil and gas royalties.  
Payment to Oklahoma from, south half of Red River.  
42 Stat. 1448.  
30 U. S. C. § 233.  
In lieu of State, etc., taxes.

41 Stat. 450.  
30 U. S. C. § 191.

*Proviso.*  
Limitation.

Indian Affairs Bureau.

Commissioner, and office personnel.

General expenses.

Traveling, etc., expenses.  
Radio, etc., tolls.

Supplies; purchase, transportation, etc.

*Proviso.*  
Restriction on payments.

Judges, Indian police, etc.

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to \$2.50 per acre for the land title to which reverted in the United States pursuant to the Act of February 26, 1919 (40 Stat., p. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, \$15,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands: For payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat., p. 915), amounts of money in lieu of the taxes that would have accrued against the reverted Oregon and California Railroad Company grant lands if the lands had remained privately owned and taxable, \$250,000: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), \$8,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

## BUREAU OF INDIAN AFFAIRS

### SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, \$508,470.

### GENERAL EXPENSES

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, \$32,000.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

For pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, including traveling expenses, supplies, and equipment, \$216,540.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, \$170,000: *Provided*, That no part of this appropriation shall be available for the construction of any building, the total cost of which is in excess of \$1,500.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed \$3,000 for printing and binding, and other necessary expenses, \$130,000, of which not to exceed \$25,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed \$15,000 shall be available for expenditure in said State.

Vehicles, Indian Service: Not to exceed \$460,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed \$190,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding \$35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Authorization for attending health and educational meetings: Not to exceed \$7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

#### INDIAN LANDS

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available, for the same purposes until June 30, 1938, and for such other purposes, except per-capita payments, as may be recommended by the governing officials of the par-

Agency buildings.  
Lease, purchase, etc.

*Proviso.*  
Limit on construction costs.

Tribal organizations, expenses.  
48 Stat. 986.  
25 U. S. C. § 476.

Services in the District.

*Provisos.*  
Travel allowance.

Expenditure in New Mexico.

Vehicles, maintenance, etc.

Transportation of Indian pupils.  
Vehicles, purchases limited.

Emergency replacement of property.

*Proviso.*  
Report of diversions to Congress.

Attendance at meetings.

Indian lands.

Pueblo Indians, N. Mex.  
Land and water rights, etc.  
Reappropriation from tribal funds.  
49 Stat. 1764.

Per-capita payments excepted.

ticular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Pueblo Indians, N. Mex., compensation to.

43 Stat 636; 48 Stat. 109.

Pueblos designated.

*Proviso.*  
Acquisition of lands, water rights, etc.  
48 Stat. 109.

Compensation to non-Indian claimants, Pueblo lands.  
49 Stat. 1459; 43 Stat. 636.

Awards.

48 Stat. 108.

Apportionment.

*Proviso.*  
Balance available.  
48 Stat. 277; 49 Stat. 183, 1765.  
48 Stat. 108.

Navajo Indians, Ariz.

Purchase of lands.  
Reappropriation.  
48 Stat. 1033.

48 Stat. 961.

Navajo Indians, Ariz., purchase of improvements of.

48 Stat. 960.

Navajos in Utah, purchase of land.

47 Stat. 1418.

Leasing lands and water rights.

Compensation to Pueblo Indians, New Mexico: For the second of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat., p. 636), and as authorized by the Act of May 31, 1933 (48 Stat., p. 109), \$253,960.61, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

Jemez, \$628.33; Nambe, \$15,813.17; Taos, \$28,235.70; Santa Ana, \$969.46; Santo Domingo, \$1,418.85; Sandia, \$4,326.87; San Felipe, \$4,984.84; Isleta, \$15,917.10; Picuris, \$22,191.47; San Ildefonso, \$12,352.76; San Juan, \$51,287.68; Santa Clara, \$60,371.39; Cochiti, \$12,608.79; Pojoaque, \$22,854.20: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos and for such other purposes, except per capita payments, as may be recommended by the governing officials of the particular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of June 4, 1936 (49 Stat., p. 1459), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act, as supplemented by the Act of May 31, 1933 (48 Stat., p. 108), \$3,071.24, to remain available until June 30, 1939, to be apportioned to claimants within the several pueblos as follows: San Ildefonso, \$141.88; San Juan, \$244.20; Nambe, \$456.40; Sandia, \$1,292.21; Cochiti, \$936.55: *Provided*, That the unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, and subsequently continued available until June 30, 1936, for carrying out the provisions of the Act of May 31, 1933, is hereby continued available until June 30, 1938.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1938.

Purchase of improvements belonging to certain Navajo Indians, Arizona (tribal funds): For purchase of improvements belonging to Navajo Indians residing on public-domain allotments in Arizona outside the area described in the Act of June 14, 1934 (48 Stat., p. 960), establishing the boundary of the Navajo Reservation in Arizona, and consolidating the Indian holdings within, and non-Indian holdings outside of, the reservation, \$7,315, payable from funds deposited to the credit of the Navajo Tribe.

Purchase of land for Navajo Indians, Utah (tribal funds): For the purchase of lands and improvements thereon, and of improvements on former public-domain lands, within additions made to the Navajo Reservation, Utah, by Executive order of May 15, 1905, and the Act of March 1, 1933 (47 Stat., p. 1418), \$20,000, payable from funds deposited to the credit of the Navajo Tribe.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit

of Indians of the Navajo Tribe in Arizona and New Mexico, \$20,000, payable from funds on deposit to the credit of the Navajo Tribe.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, \$950,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937, of which not to exceed \$20,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, New Mexico, and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of \$500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

For payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, \$25,000, to be immediately available and to be expended in accordance with the terms of the Act of June 20, 1936 (49 Stat., p. 1542).

For payment, pursuant to the provisions of the Act of May 15, 1936 (49 Stat., p. 1272), to the Confederated Bands of Ute Indians in full compensation as to claim for the principal sum for sixty-four thousand five hundred and sixty acres of land in western Colorado set aside as a naval oil reserve by Executive orders dated December 6, 1916, and September 27, 1924, \$161,400: *Provided*, That in the discretion of the Secretary of the Interior, and with the approval of the tribe expressed through its tribal council, not more than \$100,000 of the amount apportioned to the Indians of the Uintah and Ouray Reservation, Utah, together with \$100,000 additional from tribal funds now on deposit to the credit of the Ute Indians in Utah, may be expended for the acquisition of privately owned lands or interests therein, together with the improvements thereon, and of improvements on former public-domain lands, for said Indians.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): For the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, South Dakota, \$12,500, payable from funds on deposit to the credit of the Cheyenne River Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Cheyenne River Tribe.

The unexpended balance of \$5,004.25 of the appropriation "Purchase of land for landless Indians in California, Act of March 3, 1925, special fund", which appropriation was repealed by section 4 (b 24) of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), is hereby reappropriated and made available until expended for payment of obligations heretofore incurred or to be incurred hereafter in the acquisition of land in California, with such improvements as may be appurtenant thereto, for the relief of homeless Indians of that State.

Acquisition of lands, etc.

48 Stat. 984.

Balance reappropriated.

49 Stat. 1765.

*Provisos.*  
Use outside reservation restricted.

Contracts.

Redemption of restricted land subject to taxation.

49 Stat. 1542.

Confederated Bands of Ute Indians, payment to.

49 Stat. 1272.

*Proviso.*  
Acquisition of privately owned lands.

Additional from tribal funds.

Cheyenne River Reservation, S. Dak., purchase of land, etc.

*Proviso.*  
Title to land.

Landless Indians in California, purchase of land for.

43 Stat. 1101; 48 Stat. 1228.

## INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial assistance and advancement.

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, \$275,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

*Proviso.*  
Forest land administration, from proceeds of sales, etc.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, \$120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.  
25 U. S. C. § 413.  
*Proviso.*  
Rewards for information.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, \$15,000, together with \$25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed \$50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

*Provisos.*  
Additional amount available.

Report of diversions to Congress.

Geological Survey.  
Transfer of sum to, for supervising mining operations, etc.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, \$80,000.

26 Stat. 794; 35 Stat. 312, 444, 783.  
25 U. S. C. §§ 336, 371, 396, 397.

Obtaining employment for Indians.

For the purpose of obtaining remunerative employment for Indians, \$40,000.

Agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, \$625,000, of which not to exceed \$15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed \$30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation: *Provided*, That the unexpended balance of the appropriation of \$60,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for the establishment of a sheep-breeding station on the Navajo Reservation, is continued available during the fiscal year 1938 for the construction of quarters for employees assigned to such station.

Agricultural experiments and demonstrations.

Navajo sheep-breeding station.

*Proviso.*  
Balance reappropriated.  
49 Stat. 184.

Construction of employees' quarters.

Encouraging industry, etc.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, \$215,000, which sum may be used for the purchase of seeds,

animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for the Navajo Indians in Arizona and New Mexico not to exceed \$25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed \$15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed \$50,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, \$66,600, payable from tribal funds as follows: Seminole, Florida, \$6,000; Fort Totten (Devils Lake), North Dakota, \$600; Rosebud, South Dakota, \$10,000; Shoshone, Wyoming, \$50,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1937, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1938: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support and burial, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1938 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed

*Provisions.*  
Conditions for repayment.

Loans on irrigable lands.

Limitation; exception.

Advances to old, etc., allottees.

Advances to young students; repayment.

Purchase, disposition of sheep and other livestock.

Industrial assistance.

Constructing homes, purchase of seed, equipment, etc.  
Advances to old, etc., allottees.

49 Stat. 1767; 47 Stat. 335.

*Provisions.*  
Conditions for repayment.

Loans on irrigable lands.

Advances to young students.

Reimbursement.

Credits and availability.

Tribal enterprises.



## Use of revenues.

by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes.

Revolving fund for loans to Indian corporations.  
48 Stat. 986.

Making loans, etc.  
49 Stat. 1967.

Services and supplies.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat., p. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat., p. 1967), \$520,000, of which amount not to exceed \$125,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than \$2,500 for printing and binding.

Indian arts and crafts.  
49 Stat. 891.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$42,500, of which not to exceed \$16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$7,500 per annum.

Indian Arts and Crafts Board, expenses.

Printing and binding.  
Services in the District.

*Proviso.*  
Salary restriction.

## Water supply.

## DEVELOPMENT OF WATER SUPPLY

Developing and conserving, in Arizona and New Mexico.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, \$70,000.

Irrigation and drainage.

## IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Projects.

Limitation.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Miscellaneous projects, \$23,000; Arizona: Ak Chin, \$4,000; Chiu Chui, \$4,000; Ganado, \$1,500, together with \$1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous

projects, Arizona and New Mexico, \$6,500; Salt River, \$5,000; San Xavier, \$2,000; California: Coachella Valley, \$1,000; Morongo, \$4,000; Pala and Rincon, \$2,000, together with \$2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, \$11,000, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, \$3,000; Walker River, \$5,000; Western Shoshone, \$4,000; New Mexico: Miscellaneous Pueblos, \$25,000; Washington: Colville, \$3,500, together with \$500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, \$1,000, together with \$2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, \$60,000;

In all, for irrigation on Indian reservations, not to exceed \$175,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including not to exceed \$2,000 for purchase of land, \$76,300, reimbursable, together with \$112,200 (operation and maintenance collections) and \$161,000 (power revenues), of which latter sum not to exceed \$25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts \$112,200 and \$161,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$349,500.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available so much as may be necessary of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed \$2,000 including all expenses connected therewith payable from tribal funds.

Administrative expenses.

Total; reimbursable.

*Provisos.*  
Amounts interchangeable.

Limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.  
Maintenance, etc.

Emergencies.

Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Pima Indians, Ariz.  
Subjugation and cropping operations on lands of.

Irrigation operation, etc., charges.

Employment of attorney and accountant.

Colorado River Res-  
ervation, Ariz.  
Maintenance, etc.,  
of system.  
36 Stat. 273.  
Reimbursable.

48 Stat. 1227.  
31 U. S. C. § 725c.

San Carlos Reserva-  
tion, Ariz.  
Operation, etc., of  
pumping plants.

*Proviso.*  
Reimbursement.

Yuma Reservation,  
Calif.-Ariz.  
Reclamation, etc.,  
charges.

Fort Hall system,  
Idaho.  
Maintenance, etc.

Fort Belknap Res-  
ervation, Mont.  
Maintenance, etc.,  
of system.

Limitation.

Fort Peck project,  
Mont.  
Maintenance, etc.

Limitation.

Flathead Reserva-  
tion, Mont.  
Maintenance, etc.

Crow Reservation,  
Mont.  
Maintenance, etc.

Newlands project,  
Nev.  
Payment of charges  
against Paiute lands.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), \$17,000, reimbursable, together with \$20,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, \$5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, \$53,338, reimbursable, together with \$3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, \$23,000, together with \$25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, \$14,800, reimbursable, together with \$4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, \$7,000, reimbursable, together with \$3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance of the irrigation systems on the Flathead Reservation, Montana, \$12,000, reimbursable, together with \$90,000 (operation and maintenance collections) and \$45,000 (power revenues), from which amounts of \$90,000 and \$45,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$147,000.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggings Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, \$5,000, reimbursable, together with \$35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, \$5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments

for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, \$7,029, to be immediately available; in all, \$12,410.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, \$15,000, reimbursable, together with \$5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, \$14,000, reimbursable, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande conservancy district, New Mexico, \$11,250, or so much thereof as may be necessary, reimbursable.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, \$1,000, reimbursable, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), \$20,000, reimbursable, together with \$38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, \$1,000, reimbursable, together with \$156,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), \$14,000.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro-rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, \$30,000, reimbursable, together with \$16,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed

Drains to Truckee-Carson district.

Navajo Reservation, N. Mex.  
Operation of Hogback project.

Fruitlands project, N. Mex.  
Maintenance, etc.

Middle Rio Grande conservancy district, N. Mex.  
Maintenance, etc.

Klamath Reservation, Oreg.  
Operation of projects on.

Uncompahgre, etc., Utes, Utah.  
Irrigating allotted lands.  
34 Stat. 375.  
Reimbursable.

Yakima Reservation, Wash.  
Wapato system, maintenance, etc.

Reimbursement of fund for water to reservation lands.

38 Stat. 604.

Wind River Reservation, Wyo.  
Maintenance, etc.

Riverton-Le Clair district.  
Big Bend district.

Irrigation and drainage.  
Construction, maintenance, etc.

for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona.

49 Stat. 1040.  
Contracts.

Arizona: Colorado River, as authorized by and in accordance with section 2 of the Rivers and Harbors Act, approved August 30, 1935 (49 Stat., pp. 1039, 1040), \$500,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of \$750,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available for the purpose of discharging the obligation or obligations so created; Fort Apache, \$10,000, reimbursable; Hopi, \$25,000, reimbursable; Navajo, Arizona and New Mexico, \$60,000, reimbursable; Salt River, \$650,000, reimbursable; San Xavier, \$30,000, reimbursable;

California.

California: Mission, \$25,000, reimbursable; Sacramento, \$25,000, reimbursable;

Montana.

Montana: Flathead, including \$51,275, Camas division betterment, \$251,275, reimbursable; Crow, \$200,000, reimbursable; Fort Belknap, \$12,000, reimbursable;

Nevada.

Nevada: Western Shoshone, \$100,000, reimbursable;

New Mexico.

New Mexico: Mescalero, \$16,000, reimbursable; Pueblo, \$75,000, reimbursable;

Utah.

Utah: Navajo, \$10,000, reimbursable; Uncompahgre, \$10,000, reimbursable;

Washington.

Washington: Colville, \$15,000, reimbursable; Wapato, \$35,000, reimbursable;

Miscellaneous garden tracts.

Miscellaneous garden tracts, \$60,000;

Administrative expenses.  
Printing and binding.

For administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed \$3,000 for printing and binding, \$60,000, reimbursable;

Availability.  
49 Stat. 1772.

In all, \$2,169,275, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1937, shall remain available until June 30, 1938: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

*Proviso.*  
Amounts interchangeable.

## EDUCATION

### Education.

#### Support of schools.

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, \$5,896,950: *Provided*, That not to exceed \$20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That \$60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than \$15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*; That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41,

*Proviso.*  
Deaf and dumb or blind, etc.

Subsistence, boarding schools.

Vocational, etc., courses.

Contracts.  
R. S. § 3744.  
41 U. S. C. § 16.

sec. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., title 25, sec. 155), not more than \$312,995, including not to exceed \$63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, \$2,000, payable from funds held in trust by the United States for the Osage Tribe.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), and for apprentice training in manufacturing and other commercial establishments, \$50,000, and the unexpended balance of the appropriation available for the fiscal year 1937 is continued available until June 30, 1938: *Provided*, That not more than \$50,000 of the amount available for the fiscal year 1938 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, \$390,000.

Construction, enlargement, or improvement of public-school buildings: The unexpended balance of the appropriation of \$931,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, and June 11, 1935, is hereby continued available for the same purposes and under the same conditions until June 30, 1938.

Pupils attending public schools.

Support of schools from tribal funds.

44 Stat. 560.  
25 U. S. C. § 155.  
Chippewas in Minnesota.

25 Stat. 645.

*Proviso.*  
Formal contracts not required.  
R. S. § 3744.  
41 U. S. C. § 16.

Saint Louis Mission Boarding School, Okla.  
Osage pupils.

Vocational and trade schools, educational loans; reimbursable.

48 Stat. 986.  
Unexpended balance, availability.  
49 Stat. 1773.  
*Provisos.*  
Liberal-arts courses.

Advances; reimbursable.

School buildings.  
Lease, improvement, etc.

Construction, improvement, etc.  
Balance reappropriated.  
49 Stat. 584.

49 Stat. 327-331, 333, 336.

Shannon County,  
S. Dak.  
Appropriation con-  
tinued available.  
49 Stat. 1773.  
Pine Ridge high  
school.

The appropriation of \$125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, and continued available by the Act of June 22, 1936 (49 Stat., p. 1773), for cooperating with the public-school board of Shannon County, South Dakota, for the construction of a consolidated public high-school building at Pine Ridge, South Dakota, is hereby made available until June 30, 1938, for the same purposes and under the same conditions as specified in the said Act of June 22, 1936.

Glacier County,  
Mont.  
Improvement and  
extension of school  
buildings.  
49 Stat. 327.

The appropriation of \$100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with public school districts in Glacier County, Montana, in the improvement and extension of school buildings to be available to both Indian and white children, as authorized by the Act of June 7, 1935 (49 Stat. L. 327), is hereby made available under the same conditions as specified in the said Second Deficiency Appropriation Act until June 30, 1938, for improvement and extension of school buildings in rural communities in District Numbered 9, Glacier County, as well as other public school districts within said county.

Stevens County,  
Wash.  
School construction,  
etc.  
49 Stat. 1273.  
*Provided.*  
Plans and specifica-  
tions.

For cooperation with Wellpinit School District No. 49, Stevens County, Washington, for the construction and equipment of a public-school building in the vicinity of Wellpinit, Washington, as authorized by the Act of May 15, 1936 (49 Stat., p. 1273), \$75,000: *Provided*, That plans and specifications for construction and equipment shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly, on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such school without cost to the United States; and in computing the amount of recoupment for such project, interest at 3 per centum per annum shall be included on unrecouped balances.

Monthly payments.

Recoupment.

Nonreservation  
boarding schools.  
Support, etc., of  
designated.

For support and education of Indian pupils at the following non-reservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred pupils, including not to exceed \$1,500 for printing and issuing school paper, \$142,000; for pay of superintendent, drayage, and general repairs and improvements, \$25,000; in all, \$167,000;

Sherman Institute,  
Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed \$1,000 for printing and issuing school paper, \$221,000; for pay of superintendent, drayage, and general repairs and improvements, \$23,500; in all, \$244,500;

Haskell Institute,  
Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed \$2,500 for printing and issuing school paper, \$212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, \$24,000; for purchase of printing equipment, \$6,500; in all, \$243,000;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, \$97,750; for pay of superintendent, drayage, and general repairs and improvements, \$16,000; in all, \$113,750;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, \$168,500; for pay of superintendent, drayage, and general repairs and improvements, \$18,000; in all, \$186,500;

Albuquerque, New Mexico: For six hundred pupils, \$204,000; for pay of superintendent, drayage, and general repairs and improvements, \$24,000; in all, \$228,000;

Albuquerque,  
N. Mex.

Santa Fe, New Mexico: For four hundred pupils, \$142,000; for drayage, and general repairs and improvements, \$13,000; in all, \$155,000;

Santa Fe, N. Mex.

Wahpeton, North Dakota: For three hundred pupils, \$97,250; for pay of superintendent, drayage, and general repairs and improvements, \$13,000; in all, \$110,250;

Wahpeton, N. Dak.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed \$2,000 for printing and issuing school paper, \$221,000; for pay of superintendent, drayage, and general repairs and improvements, \$24,000; for purchase of printing equipment, \$6,000; in all, \$251,000;

Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, \$114,250; for pay of superintendent, drayage, and general repairs and improvements, \$14,000; in all, \$128,250;

Sequoyah Orphan  
Training School,  
Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, \$57,525; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$64,525;

Carter Seminary,  
Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, \$41,025; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$48,025;

Euchee, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, \$48,650; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$55,650;

Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, \$61,125; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$68,125;

Jones Academy,  
Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, \$45,050; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$52,050;

Wheelock Academy,  
Okla.

Chemawa, Salem, Oregon: For three hundred and fifty pupils, including not to exceed \$1,000 for printing and issuing school paper, \$121,750; for local vocational-training program directed from the school, \$20,500; for pay of superintendent, drayage, and general repairs and improvements, \$18,000; in all, \$160,250;

Chemawa, Salem,  
Oreg.

Flandreau, South Dakota: For four hundred and fifty pupils, \$159,750; for pay of superintendent, drayage, and general repairs and improvements, \$18,000; in all, \$177,750;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, \$97,750; for pay of superintendent, drayage, and general repairs and improvements, \$18,000; in all, \$115,750: *Provided*, That the amount available during the fiscal year 1937 for the acquisition of lands adjacent to this school is hereby continued available for the same purpose until June 30, 1938;

Pierre, S. Dak.

*Proviso.*  
Acquisition of adja-  
cent lands.  
49 Stat. 1775.

In all, for above-named nonreservation boarding schools, not to exceed \$2,569,375: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Total, nonreserva-  
tion boarding schools.  
*Proviso.*  
Sums interchange-  
able.

Report to Congress.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the

Five Civilized  
Tribes, Okla.  
Pupils attending  
public or Indian day  
schools.



*Proviso.*  
Employment of  
public school teachers  
where facilities inade-  
quate.

Alaska natives, edu-  
cation.  
49 Stat. 1775.

Support, relief of  
destitution, etc.

Miscellaneous ex-  
penses.

*Proviso.*  
Report to Congress.

Conservation of  
health.  
Designated ex-  
penses.

Suppressing tra-  
choma, etc.  
Allotments to speci-  
fied hospitals.

Arizona.

California.

Colorado.

Quapaw Agency in Oklahoma, \$397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed \$21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

For an additional amount for education of natives of Alaska, fiscal year 1937, to remain available until June 30, 1938, \$55,000, and the limitation in the Interior Department Appropriation Act for the fiscal year 1937 on the amount which may be expended under this head for freight and operation and repair of vessels is hereby increased from \$65,000 to \$120,000.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, \$690,000, to be immediately available and to remain available until June 30, 1939: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

#### CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding \$25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$4,595,690, including not to exceed \$3,332,220 for the following-named hospitals and sanatoria:

Arizona: Indian Oasis Hospital, \$25,220; Kayenta Sanatorium, \$52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, \$158,780; Phoenix Sanatorium, \$86,900; Pima Hospital, \$27,600; Truxton Canyon Hospital, \$14,000; Western Navajo Hospital, \$38,300; Chin Lee Hospital, \$15,000; Fort Apache Hospital, \$29,700; Hopi Hospital, \$40,000; Leupp Hospital, \$27,800; San Carlos Hospital, \$32,300; Tohatchi Hospital, \$17,200; Colorado River Hospital, \$23,000; San Xavier Sanatorium, \$42,500; Phoenix Hospital, \$42,000; Winslow Sanatorium, \$45,960;

California: Hoopa Valley Hospital, \$25,000; Soboba Hospital, \$22,000; Fort Bidwell Hospital, \$20,600; Fort Yuma Hospital, \$20,000;

Colorado: Ute Mountain Hospital, \$15,000; Edward T. Taylor Hospital, \$26,700;

Idaho: Fort Lapwai Sanatorium, \$90,000; Fort Hall Hospitals, \$17,000;

Iowa: Sac and Fox Sanatorium, \$75,000;

Minnesota: Pipestone Hospital, \$22,500; Cass Lake Hospital, \$30,000; Fond du Lac Hospital, \$20,000; Red Lake Hospital, \$20,000; White Earth Hospital, \$20,000;

Mississippi: Choctaw Hospital, \$25,000;

Montana: Blackfeet Hospital, \$40,000; Fort Peck Hospital, \$26,400; Crow Agency Hospital, \$34,000; Fort Belknap Hospital, \$30,000; Tongue River Hospital, \$28,000;

Nebraska: Winnebago Hospital, \$47,000;

Nevada: Carson Hospital, \$23,000; Walker River Hospital, \$23,000; Western Shoshone Hospital, \$20,000;

New Mexico: Albuquerque Sanatorium, \$104,660; Jicarilla Hospital and Sanatorium, \$61,000; Mescalero Hospital, \$24,000; Eastern Navajo Hospital, \$32,000; Northern Navajo Hospital, \$39,700; Taos Hospital, \$20,000; Zuni Hospital, \$50,000; Albuquerque Hospital, \$53,100; Charles H. Burke Hospital, \$24,000; Santa Fe Hospital, \$49,000; Toadlena Hospital, \$13,000;

North Carolina: Cherokee Hospital, \$22,000;

North Dakota: Turtle Mountain Hospital, \$41,600; Fort Berthold Hospital, \$18,000; Fort Totten Hospital, \$23,000; Standing Rock Hospital, \$38,000; Fort Totten Preventorium, \$20,000;

Oklahoma: Cheyenne and Arapahoe Hospital, \$36,000; Choctaw and Chickasaw Sanatorium and General Hospital, \$105,000; Shawnee Sanatorium, \$100,000; Claremore Hospital, \$76,300; Clinton Hospital, \$20,000; Pawnee and Ponca Hospital, \$36,000; Kiowa Hospital, \$122,700; William W. Hastings Hospital, \$37,500;

Oregon: Warm Springs Hospital, \$20,000;

South Dakota: Crow Creek Hospital, \$22,000; Pine Ridge Hospitals, \$50,000; Rosebud Hospital, \$40,000; Yankton Hospital, \$23,000; Cheyenne River Hospital, \$35,000; Sioux Sanatorium, \$75,000; Sisseton Hospital, \$35,000;

Utah: Uintah Hospital, \$30,000;

Washington: Yakima Sanatorium, \$40,000; Tacoma Sanatorium, \$210,000; Tulalip Hospital, \$12,600; Colville Hospital, \$35,000;

Wisconsin: Hayward Hospital, \$40,600; Tomah Hospital, \$31,000;

Wyoming: Shoshone, \$28,000;

*Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per-diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation.

Sioux Sanatorium and employees' quarters, South Dakota: Funds made available by the Second Deficiency Appropriation Act, fiscal year 1935, and the Interior Department Appropriation Act, fiscal year 1937, for the construction of an Indian sanatorium and employees' quarters, in South Dakota, are hereby continued available for the same purposes until June 30, 1938.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair.

Idaho.

Iowa.

Minnesota.

Mississippi.

Montana.

Nebraska.

Nevada.

New Mexico.

North Carolina.

North Dakota.

Oklahoma.

Oregon.

South Dakota.

Utah.

Washington.

Wisconsin.

Wyoming.

*Provisos.*  
Sums interchangeable.

Report to Congress,  
Hospitalization of  
pupils.

Sioux Sanatorium,  
etc., S. Dak.  
49 Stat. 584, 1777.

Medical relief in  
Alaska.

Hospitals, etc.

rental, and equipment of hospital buildings; not to exceed \$1,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, \$370,000, to be available immediately and to remain available until June 30, 1939.

Availability.

General support and administration.

## GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, \$2,604,600.

General support, additional amount.

For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, \$80,000.

Metlakatla Indians, Alaska, expenses.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakatla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

*Proviso.*  
Limitation.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Reindeer service.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees in Alaska, travel expenses of employees of the Indian Service while performing duties in Alaska for the reindeer service, travel expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including \$3,000 for the purchase and distribution of reindeer, \$35,500, to be immediately available.

Purchase, distribution, etc., to natives.  
Balance reappropriated.  
49 Stat. 213.

The unexpended balance of the appropriation of \$755 contained in the Interior Department Appropriation Act, fiscal year 1936, for the purchase and distribution of reindeer to natives in Alaska is hereby made available for the same purposes during the fiscal years 1937 and 1938.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Fort Apache, \$90,000, of which not to exceed \$40,000 may be used for the establishment of a tribal herd, including the construction of necessary buildings; San Carlos, \$45,700; Truxton Canyon, \$6,500; in all, \$142,200;

California.

California: Mission, \$15,000; Hoopa Valley, \$2,500; in all, \$17,500;

Idaho.

Idaho: Fort Hall, \$4,800;

Iowa.

Iowa: Sac and Fox, \$2,000;

Montana.

Montana: Flathead, \$20,000;

Nevada.

Nevada: Carson (Walker River \$600, Summit Lake, \$7,000, Pyramid Lake, \$20,000), \$27,600, which amount shall be available for loans to Indians and for such other purposes as may be recommended by the tribes and approved by the Commissioner of Indian Affairs; Western Shoshone, \$5,000; in all, \$32,600;

Loans to Indians, etc.

North Carolina: Cherokee, \$18,000, together with the unexpended balance under this head for the fiscal year 1937;

Oregon: Klamath, \$76,650, of which \$4,000 shall be available only for traveling and other expenses, including not to exceed \$5 per diem in lieu of subsistence, of members of the tribal council, or of representatives of the tribe engaged on business of the tribe at the seat of government; and \$6,500 shall be available only for compensation and expenses of attorneys for services rendered and to be rendered during the fiscal years 1937 and 1938 under a contract approved by the Secretary of the Interior, in accordance with existing law;

Utah: Uintah and Ouray, \$7,100, of which amount not to exceed \$3,000 shall be available for the payment of an agent employed under a contract, approved by the Secretary of the Interior;

Washington: Puyallup, \$1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaietl), \$17,800, together with the unexpended balance under this head for the fiscal year 1937; (Neah Bay), \$7,500, together with the unexpended balance under this head for the fiscal year 1937 (\$4,000 for monthly allowances for care of old and indigent Indians, additional for water supply, \$2,500, and \$1,000 for burial expenses); Yakima, \$250; Tulalip, \$1,000; Swinomish, \$500; in all \$28,050;

Wisconsin: Keshena, \$85,500, including \$20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends: *Provided*, That not more than \$14,000 of this appropriation may be used for fees and expenses of attorneys employed under contract, approved by the Secretary of the Interior, during the fiscal years 1936, 1937, and 1938.

In all, not to exceed \$434,400.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, \$44,000, to be paid from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645), of which amount not to exceed \$40,000 may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

For compensation and expenses of an attorney or attorneys employed by the Chippewa tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, \$10,000, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the state of Minnesota", approved January 14, 1889 (25 Stat., p. 645), of which so much as may be necessary shall be available for compensation earned and expenses incurred during the fiscal year 1937.

There is hereby authorized to be expended out of the fund "Interest on Judgment Court of Claims, Creek Indian Nation", now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding \$2,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Creek Nation of Indians employed under the authority of the Act of Congress approved May 24, 1924 (43 Stat. 139), the payments

North Carolina.  
Balance reappropriated.  
49 Stat. 1778.  
Oregon.  
Tribal council, traveling, etc., expenses.

Utah.

Washington.  
Balance reappropriated.  
49 Stat. 1778.

Indigent, etc., Indians, monthly allowances.  
Water supply.

Wisconsin.

*Proviso.*  
Attorneys' fees, etc.

Chippewas in Minnesota.  
General support, from tribal funds.

25 Stat. 645.  
Aiding indigent, etc.

Attorneys.

25 Stat. 645.

Payments to attorneys for Creek Nation, from tribal funds.

43 Stat. 139.

to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned Act of May 24, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior.

*Proviso.*  
Filing of claims by attorneys.

Five Civilized Tribes, Okla.  
Expenses of tribal officers, from tribal funds.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and \$3,000 for the said mining trustee, chief of the Creek Nation at \$600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed \$2,500 each.

*Proviso.*  
Limitation.

Osage Agency, Okla.  
Agency, etc., expenses.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, \$189,180, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than \$500 of the foregoing amount may be used for defraying the cost of an appeal in the case of Tucker versus Mullendore: *Provided further*, That not more than \$1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council.

*Proviso.*  
"Tucker v. Mullendore", appeal costs.

Employment of curator for Museum.

Tuskahoma Council House, Pushmataha County, Okla.  
Acquisition, etc.

For acquisition, rehabilitation, and preservation of the Tuskahoma Council House in Pushmataha County, Choctaw Nation, Oklahoma, \$10,000 or so much thereof as may be necessary, payable from the fund "Fulfilling treaties with Choctaws, Oklahoma" now to the credit of the Choctaw Indians of Oklahoma, and the unexpended balance of the appropriation for this purpose contained in the Interior Department Appropriation Act, fiscal year 1937, is hereby continued available until June 30, 1938.

Fund available.

49 Stat. 1779.

Tribal councils, traveling, etc., expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$5 per diem in lieu of subsistence, and not to exceed five cents per mile for use of personally owned automobiles, and including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, \$50,000,

payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than \$5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.

For compensation and expenses of William H. Fuller and Melven Cornish for services rendered the Chickasaw Nation of Oklahoma, under the terms of a contract approved by the Secretary of the Interior on May 13, 1935, in the case of the Choctaw Nation versus the United States and the Chickasaw Nation in the United States Court of Claims, case numbered J-231, \$15,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of the Chickasaw Nation of Indians.

#### ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, \$20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 16, 1936 (49 Stat., p. 1521), \$3,000,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed \$11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed \$100,000 of this appropriation shall be available for purchase, lease, construction or repair of structures for housing road materials, supplies and equipment; and for quarters for road crews but the cost of any structure erected hereunder shall not exceed \$7,500.

For cooperation by the Indian Service in the construction of a highway through the Owyhee Canyon connecting the Western Shoshone Reservation in Nevada with the reservoir which is a part of the reservation irrigation project, \$40,000.

#### CONSTRUCTION AND REPAIR

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska: Day schools and quarters, including remodeling of existing buildings, \$119,000; hospitals and quarters, \$186,000;

Blackfeet, Montana: Remodeling and repairing school buildings, \$30,000;

Carson, Nevada: Central heating plant, and rehabilitation of power-distribution lines, \$80,000; school building and gymnasium, Walker River, \$37,500;

Cheyenne and Arapahoe, Oklahoma: Improvement to heating system, \$20,000;

Cheyenne River, South Dakota: Classroom building, \$90,600;

Claremore Hospital, Oklahoma: Employees' quarters, \$30,000;

Colorado River, Arizona: Telephone line, \$8,500; improvement of water supply, \$21,000;

*Provides.*  
Limitation on expenditures.

Allowances for expenses of tribal councils when in Washington.

William H. Fuller and Melven Cornish.  
Compensation, etc.

Roads and bridges.

Gallup-Shiprock Highway, N. Mex., maintenance, etc.  
*Provides.*  
Indian labor.

Reservation roads, construction, etc.

45 Stat. 750; 49 Stat. 1521.  
25 U. S. C. § 318a; Supp. II, § 318b.  
*Provides.*  
Services in the District.  
Structures for housing materials, etc.

Connecting highway through Owyhee Canyon, Nev.

Construction and repair.

School, agency, hospital, etc., buildings.

Alaska.

Blackfeet, Mont.

Carson, Nev.

Cheyenne and Arapahoe, Okla.

Cheyenne River, S. Dak.  
Claremore Hospital, Okla.  
Colorado River, Ariz.

Colville, Wash.	Colville, Washington: Improvement of water supply, \$30,000;
Consolidated Ute, Colo.	Consolidated Ute, Colorado: Nurses' home, \$15,000; employees' building, \$20,000;
Crow, Mont.	Crow, Montana: Improvement of water system, \$10,000;
Five Civilized Tribes, Okla.	Five Civilized Tribes, Oklahoma: Improvement of sewer and water systems, Wheelock Academy, \$5,000; improvement of sewer system, Jones Academy, \$5,000;
Flandreau, S. Dak.	Flandreau, South Dakota: Improvement of sewer system, \$20,000;
Flathead, Mont.	Flathead, Montana: Two dwellings, \$16,000;
Fort Berthold, N. Dak.	Fort Berthold, North Dakota: Improvement of water system, \$15,000; remodeling hospital, \$8,500;
Great Lakes, Wis.	Great Lakes, Wisconsin: Repairs to hospital, Hayward, \$14,900; school building, Lac du Flambeau, \$147,500;
Keshena, Wis.	Keshena, Wisconsin: Day school building, \$5,000;
Kiowa, Okla.	Kiowa, Oklahoma: Riverside, dormitory facilities, \$73,000; one cottage, \$6,000; Fort Sill, school building, \$73,000; one physicians' cottage, \$7,500; improvements to sewer system, \$20,000;
Navajo, Ariz.	Navajo, Arizona: General headquarters, employees' building, \$72,500; Crown Point, hospital and quarters, \$193,000; Fort Defiance, central heating and power plant, \$145,000;
Pipestone, Minn.	Pipestone, Minnesota: Improvement of water system, \$12,500;
Pueblos of New Mexico.	Pueblos of New Mexico: For remodeling the Albuquerque school hospital, \$22,500;
Red Lake, Minn.	Red Lake, Minnesota: Improvement of water system, \$12,500;
Rosebud, S. Dak.	Rosebud, South Dakota: Improvement of sewer system, \$20,000;
Seminole, Fla.	Seminole, Florida: One dwelling, \$6,000;
Shoshone, Wyo.	Shoshone, Wyoming: Improvement of quarters, \$58,000;
Tacoma Sanatorium, Wash.	Tacoma Sanatorium, Washington: Improvement of water system, \$8,000;
Tongue River, Mont.	Tongue River, Montana: Birney day school, including sewer and water systems, and light plant, \$30,000;
Turtle Mountain, N. Dak.	Turtle Mountain, North Dakota: Day school facilities, \$62,500;
Truxton Canyon, Ariz.	Truxton Canyon, Arizona: Improvement of heating system, \$10,000;
Uintah and Ouray, Utah.	Uintah and Ouray, Utah: Central heating plant, \$50,000; improvement of sewer and water systems, \$25,000;
Wahpeton, N. Dak.	Wahpeton, North Dakota: Improvement of heating system, \$10,000;
Western Shoshone, Nev.	Western Shoshone, Nevada: Improvement of sewer and water systems, \$15,000;
Winnebago, Nebr.	Winnebago, Nebraska: General repairs, \$6,000;
Administrative expenses.	For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed \$2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, \$175,000; in all, \$2,047,500, to be immediately available and to remain available until June 30, 1939.

#### Annuities and per capita payments.

#### ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y. 4 Stat. 442.	For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), \$6,000.
Six Nations, N. Y. 7 Stat. 46.	For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.
Choctaws, Okla. 7 Stat. 99, 212, 213, 236; 11 Stat. 614.	For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty

of June 22, 1855), \$3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$30,000.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, \$150,000.

The unexpended balances of appropriations made for the benefit of the Saint Croix Chippewa Indians of Wisconsin by the Act of February 14, 1920 (41 Stat., p. 433), and subsequent Acts, and made available by the Interior Department Appropriation Act, fiscal year 1937, for the purchase of material for the repair of homes, for the care of aged and indigent Indians of this band, and for other necessary purposes for their benefit, are hereby continued available for the same purposes until expended.

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States \$105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee Log Funds), and to expend said sum, or so much thereof as may be necessary, for a per-capita payment of \$50 to each enrolled member of the Menominee Tribe: *Provided*, That such payment shall be in lieu of the payment authorized by the Act of June 15, 1934 (48 Stat., p. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal year 1937: *Provided further*, That in the discretion of the Secretary of the Interior the payment herein authorized may be made in two installments.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, \$500,000.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including non-reservation boarding schools and for conservation of health among Indians shall be available for the maintenance and operation of central garages and shops, including the purchase of parts and supplies, and such appropriations may be reimbursed for services rendered or supplies furnished by such garages or shops to any activity of the Indian Service.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, for rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Pawnees, Okla.  
11 Stat. 729; 27 Stat.  
644.

Indians of Sioux  
reservations.  
25 Stat. 895.

Saint Croix Chip-  
pewas, Wis.  
41 Stat. 433; 49 Stat.  
1780.

Menominee Indians  
in Wisconsin.  
Per capita pay-  
ments.

*Provisos.*  
Payments in lieu of  
previously authorized  
payments.  
48 Stat. 964.

Installments.

Interest on trust  
funds.

Central garages, etc.

Field service em-  
ployees.  
Funds for, available  
for supplies.

Traveling expenses,  
new appointees, etc.



## BUREAU OF RECLAMATION

Reclamation Bureau.

Payments, from reclamation fund.  
32 Stat. 388.  
43 U. S. C. §§ 391, 411.

Commissioner, office personnel, and other expenses.  
Printing and binding.

Administrative provisions and limitations.  
32 Stat. 388.  
43 U. S. C. § 391.

Vehicles.

Property damages.

Attendance at meetings, etc.

Provisos.  
Medical services for employees.

Restriction where district is in arrears.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (U. S. C., title 43, secs. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Salaries and expenses: For the Commissioner of Reclamation and other personal services in the District of Columbia, \$115,000; for travel and other necessary expenses, \$35,000, including not to exceed \$15,000 for printing and binding; in all, \$150,000;

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures from said fund are authorized, including not to exceed \$100,000 for personal services and \$15,000 for other expenses in the office of the chief engineer, \$20,000 for telegraph, telephone, and other communication service, \$5,000 for photographing and making photographic prints, \$41,250 for personal services, and \$7,500 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed \$15,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger vehicles; not to exceed \$20,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior; not to exceed \$1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the Bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That the Secretary of the Interior in his administration of the Bureau of Reclamation is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than twelve months in the payment of any charges due from said lands to the United States;

Examination and inspection of projects and operation and maintenance of reserved works: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the repayment of such expenses by the districts or associations; and for operation and maintenance of the reserved works of a project or division of a project when irrigation districts, water users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, \$10,000;

Yuma project, Arizona-California: For operation and maintenance, \$73,000: *Provided*, That not to exceed \$25,000 from the power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Orland project, California: For operation and maintenance, \$33,000;

Boise project, Idaho: For operation and maintenance, \$30,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, \$11,600: *Provided*, That not to exceed \$65,000 from the power revenues shall be available during the fiscal year 1938 for the operation of the commercial system; and not to exceed \$100,000 from power revenues shall be available during the fiscal year 1938 for continuation of construction, south side division;

North Platte project, Nebraska-Wyoming: Not to exceed \$60,000 from the power revenues shall be available during the fiscal year 1938, for the operation and maintenance of the commercial system; and not to exceed \$6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (U. S. C., title 43, sec. 501), shall be available during the fiscal year 1938 for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

Rio Grande project, New Mexico-Texas: For operation and maintenance, \$350,000: *Provided*, That the Secretary of the Interior is hereby authorized to enter into a contract with the El Paso County Water Improvement District Numbered 1 and the Elephant Butte Irrigation District of New Mexico by which the districts will be relieved of the obligation of making payment of the construction cost chargeable to the development of power of Elephant Butte Dam in the amount determined as equitable by the Secretary of the Interior in return for the conveyance by the said two districts to the United States of all the districts' right, title, interest, and estate in the use of said dam and other project works, including the project water supply, for the development of hydroelectric energy: *Provided further*, That in such contracts it shall be stated that the use of the dam, project works, and water supply for power purposes shall not deplete or interfere with the use thereof for irrigation purposes: *Provided further*, That the net earnings of the power plant and system belonging to the United States and any other available revenues shall be applied, until the cost thereof has been met, upon the cost of the power development, including (1) the cost of power facilities, (2) the amount invested, as herein authorized, in the cost of Elephant Butte Dam, and (3) the amount invested by the Bureau of Reclamation in Caballo Dam: *Provided further*, That after the cost of the power development has been met the net earnings of the power plant and system shall be disposed of as Congress may direct.

Examination and inspection of projects.

Maintenance, etc., of reserved works.

Yuma project, Ariz.-Calif.

*Proviso.*  
Operating commercial system.

Orland, Calif.

Boise, Idaho.

Minidoka, Idaho.

*Proviso.*  
Operating commercial system.  
South side division, construction.

North Platte, Nebr.-Wyo.

Operating commercial system.  
Payment to Farmers' district for water.  
43 Stat. 703.  
43 U. S. C. § 501.

Rio Grande, N. Mex.-Tex.  
*Provisos.*  
Contract for title, etc., to dam.

Water for power not to deplete use for irrigation.

Use of earnings.

Disposition of net earnings after meeting cost.

Owyhee, Oreg.  
Klamath, Oreg.-  
Calif.  
*Proviso.*  
Revenues from Tule  
Lake division.

Owyhee project, Oregon: For operation and maintenance, \$75,000;  
Klamath project, Oregon-California: For operation and maintenance, \$54,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Yakima, Wash.  
*Proviso.*  
Power system.

Yakima project, Washington: For operation and maintenance, \$265,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available during the fiscal year 1938 for operation and maintenance of the power system;

Riverton, Wyo.  
*Proviso.*  
Operating commercial system.

Riverton project, Wyoming: For operation and maintenance, \$40,000: *Provided*, That not to exceed \$25,000 from the power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Shoshone, Wyo.  
*Proviso.*  
Operating commercial system.

Shoshone project, Wyoming: For operation and maintenance, Willwood division, \$15,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Secondary and economic investigations.

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, \$10,000 together with the unexpended balance of the appropriation for these purposes for the fiscal year 1937: *Provided*, That the expenditures from this appropriation for any reclamation project shall be considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigation;

*Provisos.*  
Expenses considered supplementary; accounting.

Division of expenses for investigations.

Operation and maintenance administration.

Operation and maintenance administration: For necessary pay of employees, traveling and other expenses incident to the general administration of reclamation projects, either operated and maintained by the Bureau or transferred to water users' organizations for operation and maintenance, including giving information and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects, \$50,000;

Information to settlers.

Limitation of expenditures.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1938, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1938 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the

reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the Interior;

Construction: For continuation of construction of the following projects in not to exceed the following amounts, respectively, to be expended from the Reclamation Fund under the same general conditions and in the same manner and for the same objects of expenditure as specified for projects hereinbefore in this Act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law:

Gila project, Arizona, \$700,000; said Gila project, including the waters to be diverted and used thereby and the lands and structures for the diversion and storage thereof, to be subject to the provisions of the Boulder Canyon Project Act of December 21, 1928, and subject to and controlled by the provisions of the Colorado River Compact signed at Santa Fe, New Mexico, November 24, 1922;

Salt River project, Arizona, \$500,000;

Orland project, California: For construction and other work authorized by section 5 of the Act of June 24, 1936 (49 Stat. 1907), \$35,000;

Colorado-Big Thompson project, Colorado: For construction in accordance with the plan described in Senate Document Numbered 80, Seventy-fifth Congress, \$900,000: *Provided*, That no construction thereof shall be commenced until the repayment of all costs of the project shall, in the opinion of the Secretary of the Interior, be assured by appropriated contracts with water conservancy districts, or irrigation districts or water users' associations organized under the laws of Colorado, or other form of organization satisfactory to the Secretary of the Interior;

Pine River project, Colorado, \$500,000;

Boise project, Idaho, Payette division, \$1,000,000;

Sun River project, Montana, \$300,000;

Carlsbad project, New Mexico, \$200,000;

Owyhee project, Oregon, \$500,000;

Klamath project, Oregon-California, \$125,000;

Belle Fourche project, South Dakota, \$130,000;

Ogden River project, Utah, \$250,000;

Provo River project, Utah, \$750,000;

Yakima project, Washington, Roza division, \$1,500,000;

Casper-Alcova project, Wyoming, \$650,000: *Provided*, That in recognition of the respective rights of both the States of Colorado and Wyoming to the amicable use of the waters of the North Platte River, neither the construction, maintenance, nor operation of said project shall ever interfere with the present vested rights or the fullest use hereafter for all beneficial purposes of the waters of said stream or any of its tributaries within the drainage basin thereof in Jackson County, in the State of Colorado, and the Secretary of the Interior is hereby authorized and directed to reserve the power by contract to enforce such provisions at all times: *Provided further*, That from and after the passage of this Act, the reclamation project heretofore known as the Casper-Alcova project shall be known and designated on the public records as the Kendrick project, and that the change in the name of said project shall in no wise affect the rights of the State of Wyoming or the State of Colorado or any county, municipality,

Emergency flood repairs.

Construction of designated projects.

Gila, Ariz.

45 Stat. 1057.

Salt River, Ariz.

Orland, Calif.  
49 Stat. 1907.

Colorado-Big Thompson, Colo.

*Proviso.*  
Repayment of costs.

Pine River, Colo.

Boise, Payette division, Idaho.

Sun River, Mont.

Carlsbad, N. Mex.

Owyhee, Oreg.

Klamath, Oreg.-Calif.

Belle Fourche, S. Dak.

Ogden River, Utah.

Provo River, Utah.

Yakima, Roza division, Wash.

Casper-Alcova, Wyo.

*Provisos.*  
Rights of States recognized.

Casper-Alcova project; designation changed to Kendrick.

corporation, association, or person, and all records, surveys, maps, and public documents of the United States or of either of said States in which said project is mentioned or referred to under the name of the Casper-Alcova project shall be held to refer to said project under and by the name of the Kendrick project;

Riverton, Wyo.

Riverton project, Wyoming, \$200,000;

Shoshone, Wyo.

Shoshone project, Wyoming: Heart Mountain division, \$700,000; Willwood division, \$10,000; in all, \$710,000;

Colorado River Basin investigations.  
Administrative expenses.  
*Ibid.*, p. 592.

Colorado River Basin investigations, \$150,000;

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$9,850,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

*Proviso.*  
Services in the District.

Construction, special fund.  
Balances reappropriated.  
49 Stat. 1784.

The unexpended balances of the amounts appropriated from the reclamation fund, special fund, under the caption "Bureau of Reclamation, Construction", in the Interior Department Appropriation Act, fiscal year 1937, shall remain available for the same purposes for the fiscal year 1938.

Total, from reclamation fund, \$11,016,600.

Yuma project, Ariz.-Calif.  
Colorado River front work and levee system.

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section 4 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat., p. 1010), \$15,000, together with the unexpended balance of the appropriation for the fiscal year 1937.

44 Stat. 1016.  
Balance reappropriated.  
49 Stat. 1783.

Boulder Canyon project.  
Construction, etc.  
49 Stat. 1784.

Boulder Canyon project: For the continuation of construction of the Boulder Canyon Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); \$2,550,000, to be immediately available and to remain available until advanced to the Colorado River Dam fund, of which sum not exceeding \$50,000 shall be immediately available for the construction of a schoolhouse in Boulder City; and there shall also be available from power and other revenues not to exceed \$500,000 for operation and maintenance of the Boulder Canyon Dam, power plant, and other facilities; which amounts of \$2,550,000 and \$500,000 shall be available for personal services in the District of Columbia (not to exceed \$25,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act, under the caption "Bureau of Reclamation, Administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

Acquisition of lands, etc.

45 Stat. 1057.  
43 U. S. C., ch. 12A.  
Availability.

Boulder Canyon project (All-American Canal).  
Construction, etc.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary

Acquisition of lands.

for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); to be immediately available and to remain available until advanced to the Colorado River Dam Fund, \$1,500,000, which amount shall be available for personal services in the District of Columbia (not to exceed \$5,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act under the caption "Bureau of Reclamation, administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

For continuation of construction of the following projects and for general investigations in not to exceed the following amounts, respectively, to be expended from the general fund of the Treasury in the same manner and for the same objects of expenditure as specified for projects included hereinbefore in this Act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law:

Central Valley project, California, \$12,500,000, together with the unexpended balance of the appropriation for this project contained in the First Deficiency Act, fiscal year 1936;

Grand Coulee Dam, Washington: For continuation of construction of Grand Coulee Dam and appurtenant works, \$13,000,000, together with the unexpended balance of the appropriation for this dam contained in the Interior Department Appropriation Act, fiscal year 1937;

For general investigations, \$200,000 to enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations of proposed Federal reclamation projects, surveys for reconstruction, rehabilitation, or extension of existing projects and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or, if deemed advisable by the Secretary of the Interior, in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, National Resources Committee, and the Federal Power Commission;

For administrative expenses on account of the above projects, including personal services in the District of Columbia and in the field, \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$26,450,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

The Public Works Administration allotments made available to the Department of the Interior, Bureau of Reclamation, pursuant to the National Industrial Recovery Act of June 16, 1933, either by direct allotments or by transfer of allotments originally made to another Department or agency, and the allocations made to the Department of the Interior, Bureau of Reclamation, from the appropriation contained in the Emergency Relief Appropriation Act of April 8, 1935, shall remain available for the purposes for which allotted during the fiscal year 1938.

45 Stat. 1037.  
43 U. S. C., ch. 12A.

Construction and investigations of specified projects, reimbursable.

Central Valley, Calif.

Grand Coulee Dam, Wash.  
*Ante*, p. 210.

49 Stat. 1784.

General investigations.

Administrative expenses.

*Proriso*.  
Services in the District.

Public Works Administration allotments, etc., continued available.

## GEOLOGICAL SURVEY

Geological Survey.

### SALARIES

For the Director of the Geological Survey and other personal services in the District of Columbia, \$140,000.

Salaries.

## GENERAL EXPENSES

General expenses.	For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed \$30,000 for the purchase and exchange, and not to exceed \$55,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed \$3,000 for necessary traveling expenses of the Director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads:	
Vehicles.		
Traveling expenses.		
Attendance at meetings.		
Topographic surveys.	Topographic surveys:	For topographic surveys in various portions of the United States, \$650,000, of which amount not to exceed \$250,000 may be expended for personal services in the District of Columbia: <i>Provided</i> , That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: <i>Provided further</i> , That \$217,000 of this amount shall be available only for such cooperation with States or municipalities;
<i>Provisos.</i> Cooperation with States, etc.	with	
Allotment for cooperation.		Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, \$500,000, of which not to exceed \$300,000 may be expended for personal services in the District of Columbia;
Geologic surveys.		Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, \$60,000, to be available immediately, of which amount not to exceed \$25,000 may be expended for personal services in the District of Columbia;
Alaska, mineral resources.		Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$900,000, of which amount not to exceed \$100,000 may be expended for personal services in the District of Columbia: <i>Provided</i> , That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: <i>Provided further</i> , That \$700,000 of this amount shall be available only for such cooperation with States or municipalities;
Gaging streams; investigations.		
<i>Provisos.</i> Division of expenses.		
Allotment for cooperation.		
Classification of lands as to mineral character, etc.		Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the

Secretary of the Interior; and for performance of work of the Federal Power Commission, \$100,000, of which amount not to exceed \$60,000 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, \$120,000; for preparation of illustrations, \$22,000; and for engraving and printing geologic and topographic maps, \$120,000; in all, \$262,000;

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$315,000, of which amount not to exceed \$60,000 may be expended for personal services in the District of Columbia;

During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: *Provided further*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1937, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

During the fiscal year 1938, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per-diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency

Printing and binding.

Nonmetallic Mineral Acts.  
Enforcing provisions.  
38 Stat. 742; 41 Stat. 437, 1363.  
48 U. S. C. §§ 435, 444; 30 U. S. C. §§ 141, 181.

Cooperative work on scientific, etc., investigations for government agencies.

Credit of funds.

*Provisos.*  
Expenditure of transferred funds.

Cooperative work; availability.

Aerial photographs for mapping projects.



cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Contracts with civilians.

Transporting effects of employees.

Appropriations herein made shall be available for payment of the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior;

Total, United States Geological Survey, \$2,927,000.

Bureau of Mines.

## BUREAU OF MINES

### SALARIES AND GENERAL EXPENSES

Salaries and expenses.

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, \$65,500, of which amount not to exceed \$52,000 may be expended for personal services in the District of Columbia.

Mine rescue cars and stations.  
Investigation of accidents, etc.

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine rescue cars and the Government-owned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding \$6,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed \$67,100 for personal services in the District of Columbia, \$624,000: *Provided*, That of this amount not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests;

Attendance at meetings, etc.

Vehicles.

*Proviso.*  
Rescue trophies.

Testing fuel.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the depart-

ments, establishments, or institutions of the United States in the District of Columbia, \$250,400, of which amount not to exceed \$29,400 may be expended for personal services in the District of Columbia;

**Mineral mining investigations:** For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed \$12,000, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed \$24,700 for personal services in the District of Columbia, \$270,860: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party;

Mineral mining investigations.

**Oil and gas investigations:** For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes (U. S. C., title 5, sec. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed \$6,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory gloves, goggles, rubber boots, and aprons, \$253,000, of which amount not to exceed \$22,600 may be expended for personal services in the District of Columbia;

*Proviso.*  
Private investigations, restriction.

Oil and gas investigations.

*Proviso.*  
Purchase of newspapers, etc.  
R. S. § 192.  
5 U. S. C. § 102.

**Mining experiment stations:** For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed \$3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U. S. C., title 30, sec. 8), \$359,000, of which appropriation not to exceed \$17,100 may be expended for personal services in the District of Columbia;

Mining experiment stations.

38 Stat. 959.  
30 U. S. C. § 8.

**Buildings and grounds, Pittsburgh, Pennsylvania:** For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed \$5,000 for additions and improvements, \$87,690;

Pittsburgh, Pa., station, maintenance, etc.

**Economics of mineral industries:** For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral

Economics of mineral industries.  
Investigations, etc.

Reports.

Statistical inquiries.	commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding \$1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, \$300,000, of which amount not to exceed \$225,000 may be expended for personal services in the District of Columbia;
Services in the District.	
Helium production and investigations. <i>Ante</i> , pp. 111, 456.	Helium production and investigations: The sums made available for the fiscal year 1938 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1937, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; purchase, not to exceed \$2,500, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, and including \$11,300 for personal services in the District of Columbia;
Gas production for helium plants.	Gas production for helium plants: For production of natural gas for helium plants, including construction, repair, maintenance, and operation of wells, pipe lines, and other facilities therefor, and including purchase, not to exceed \$750, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, \$12,000: <i>Provided</i> , That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;
<i>Proviso</i> . Limitation on expenditures. 48 Stat. 1227.	During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that Bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: <i>Provided</i> , That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended;
Scientific investigations for departments, etc.	
Transfer of sums.	
<i>Proviso</i> . Expenditure.	
Minor purchases without advertising.	The purchase of supplies and equipment or the procurement of services for the Bureau of Mines, at the seat of government, as well as in the field outside of the District of Columbia, may be made in open market without compliance with section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) of the United States, in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed \$100 in any instance;
R. S. § 3709. 41 U. S. C. § 5.	
Traveling expenses; attendance at meetings, etc.	For necessary traveling expenses of the director and employees of the Bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in

connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all \$3,000;

Persons employed during the fiscal year 1938 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: *Provided*, That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the United States. All details made hereinunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof;

The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines;

Appropriations for the fiscal year 1938 available for expenses of travel of officers and employees of the Bureau of Mines shall be available for expenses of travel performed by them on transfer from one official station to another when authorized by the Secretary of the Interior, and for the expenses incurred in packing, crating, drayage, and transportation of household effects and other personal property of employees so transferred, under regulations to be prescribed by the Secretary of the Interior;

Total, Bureau of Mines, \$2,222,450.

### NATIONAL PARK SERVICE

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the Act of February 21, 1925 (43 Stat., p. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, \$196,940, of which amount not to exceed \$23,680 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

General expenses: For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational

Detail of field employees.

*Proviso.*  
Payment of employees' expenses.

Report of details to Congress.

Details from Public Health Service.

Traveling expenses, on transfer from one station to another.

Transportation of household goods, etc.

National Park Service.

Director, and office personnel.  
Accounting services.

Specialists and experts.

43 Stat. 959.  
*Proviso.*  
Employment without reference to Classification, etc., Acts.  
5 U. S. C. §§661-674; 631-652.

Field employees.

General expenses.

*Proviso.*  
Field employees  
attending meetings.

National Parks, ad-  
ministration, etc.  
Acadia, Maine.  
George B. Dorr.  
5 U. S. C. §§ 691-693,  
697-731.

Vehicles.

Bryce Canyon,  
Utah.

Carlsbad Caverns,  
N. Mex.

Crater Lake, Oreg.

General Grant,  
Calif.

Glacier, Mont.

Grand Canyon,  
Ariz.

Grand Teton, Wyo.

Great Smoky  
Mountains, N. C.-  
Tenn.

work of the National Park Service, \$27,000: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations.

Acadia National Park, Maine: For administration, protection, and maintenance, including \$3,000 for George B. Dorr as superintendent without regard to the requirements of the provisions of the Civil Service Retirement Act approved May 22, 1920 (U. S. C., title 5, secs. 691-693, 697-731), as amended, \$3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding \$1,700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$47,710.

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, \$12,350.

Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding \$800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not to exceed \$23,000 for remodeling the power plant, \$103,000.

Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding \$1,410 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$73,730.

General Grant National Park, California: For administration, protection, and maintenance, including not exceeding \$850 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$17,570.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding \$3,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$189,120.

Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding \$1,750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$118,500.

Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$1,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$25,530.

Great Smoky Mountains National Park, North Carolina and Tennessee: For administration, protection, and maintenance, including not to exceed \$1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with general park work, \$76,500.

Hawaii National Park: For administration, protection, and maintenance, including not exceeding \$1,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$50,100.

Hawaii.

Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding \$1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$72,500.

Hot Springs, Ark.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding \$1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not to exceed \$1,000 for the maintenance of approach roads through the Lassen National Forest, \$35,000.

Lassen, Calif.

Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$55,540: *Provided*, That the unexpended balance of the appropriation of \$10,000 contained in the First Deficiency Appropriation Act, fiscal year 1936, for improvement of the water system, is continued available for the same purposes for the fiscal year 1938.

Mesa Verde, Colo.

*Proviso.*  
Water system, im-  
provement.  
49 Stat. 1622.

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, including not exceeding \$1,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$29,000.

Mount McKinley,  
Alaska.

Mount Rainier National Park, Washington: For administration, protection, maintenance, and improvement, including not exceeding \$1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not exceeding \$6,000 for the construction of a utility building, in all, \$141,480.

Mount Rainier,  
Wash.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$20,600.

Platt, Okla.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$2,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$82,000.

Rocky Mountain,  
Colo.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding \$1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work and including maintenance and repair of the Generals Highway between the boundaries of Sequoia and General Grant National Parks, \$104,100.

Sequoia, Calif.

Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding \$1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger-

Shenandoah, Va.

carrying vehicles for the use of the superintendent and employees in connection with general park work, \$58,000.

Wind Cave, S. Dak.

Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding \$900 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$18,520.

Yellowstone, Wyo.

Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$6,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$15,000 for maintenance of the roads in the national forests leading out of the park from the east, southwest, and south boundaries, and including feed for buffalo and other animals and salaries of buffalo keepers, \$411,000.

Yosemite, Calif.

Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding \$2,250 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$1,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, \$301,600.

Zion, Utah.

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding \$1,120 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$40,450.

National monuments, administration, etc.

National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding \$5,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, \$205,600.

Homestead National Monument of America, Nebr.

Homestead National Monument of America, Nebraska: For acquisition of land and development and improvement of the monument in accordance with the provisions of the Act of March 19, 1936 (49 Stat., p. 1184), \$24,000.

Oregon Caves, Oreg.

Oregon Caves National Monument, Oregon: For the improvement of the lighting system, including the purchase and installation of equipment and supplies, at Oregon Caves National Monument, Oregon, \$20,000.

National historical parks and monuments, administration.

National historical parks and monuments: For administration, protection, maintenance, and improvement, including not exceeding \$2,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$127,000.

National military parks, battlefields, etc.

National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including not exceeding \$6,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$300,660.

Kennesaw Mountain, Ga.  
49 Stat. 423.

Kennesaw Mountain National Battlefield Park, Georgia: To carry out the purposes of the Act entitled, "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", approved June 26, 1935 (49 Stat. 423), \$30,000.

Boulder Dam Recreational Area, Arizona and Nevada: For administration, protection, and maintenance of the recreational activities of the Boulder Dam Recreational Area and any lands that may be added thereto by Presidential or other authority, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$45,000: *Provided*, That not to exceed \$15,000 of funds available for the purpose may be expended to recompense Six Companies, Incorporated, for a hospital building erected on Government-owned land at Boulder City, Nevada.

Boulder Dam Recreational Area, Ariz.-Nev.

*Proviso.*  
Six Companies, Inc., repayment.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1938, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, \$40,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1937 is continued available during the fiscal year 1938, together with not to exceed \$100,000 to be transferred upon the approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Emergency reconstruction and fighting forest fires.

Balance continued available.  
49 Stat. 1794.

*Proviso.*  
Restriction on allotment.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases and for fire-prevention measures, including equipment, and personal services in the District of Columbia (not to exceed \$15,000) and elsewhere, \$100,000, to be immediately available.

Forest protection and fire prevention; insect, etc., control.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget.

Accounting.  
*Proviso.*  
Sums interchangeable.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary, in his discretion, may designate.

Lectures, etc.

Appropriations herein made for the Department of the Interior shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks without such trucks being considered as passenger-carrying vehicles and without the cost of purchase, maintenance, operation, and repair being included in the limitation in the various appropriation items for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles.

Trucks, etc.

Appropriations herein made for the National Park Service shall be available for the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the National Park Service, provided the Secretary determines the provision of such services are advantageous in the administration of these areas.

Telephone installations, etc.



Roads and trails,  
construction, etc.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, secs. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, \$4,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed \$60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1938.

46 Stat. 1053.  
16 U. S. C. §§ 8a, 8b.

*Proviso.*  
Services in the Dis-  
trict.

Blue Ridge and  
Natchez Trace Park-  
ways.

49 Stat. 1520.

*Proviso.*  
Allotments to desig-  
nated States.

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 5 of the Act of June 16, 1936 (49 Stat., pp. 1519-1522), of the Blue Ridge and Natchez Trace Parkways, to be immediately available and remain available until expended, \$6,000,000, of which amount not to exceed \$40,000 shall be available for personal services in the District of Columbia: *Provided*, That \$1,500,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said Parkway in each respective State.

Historic sites and  
buildings.  
49 Stat. 666.

Historic sites and buildings: For carrying out the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat., p. 666), \$24,000.

Water rights, inves-  
tigation, etc.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national parks and monuments, and including not to exceed \$500 for the maintenance, operation, and repair of one passenger-carrying vehicle, \$25,000.

Public buildings  
and grounds, D. C.  
Maintenance, etc.  
Post, p. 766.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per-diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; arms and ammunition for the guard force; not exceeding \$13,000 for uniforms for employees; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying vehicles; \$7,137,280, of which amount not to exceed \$5,036,980 shall be available for personal services in the District of Columbia and not to exceed \$500,000 shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia: *Provided*, That the Superintendent of Meters of the Department of the Interior shall

Miscellaneous ex-  
penses.

Vehicles.

Services in the Dis-  
trict.

*Proviso.*  
Statement of Gov-  
ernment meters.

hereafter take the statement of the meters of the several department buildings in the city of Washington, and render to the General Accounting Office the consumption of gas and electricity each month in said buildings respectively.

Salaries and expenses, public buildings outside the District of Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, personal services, arms, ammunition, leather and rubber articles and gas masks for the protection of public property and employees, and every expenditure requisite for and incidental to such maintenance and operation of public buildings outside of the District of Columbia under the jurisdiction of the National Park Service, \$569,000: *Provided*, That not to exceed \$5,040 of the amount herein appropriated may be expended for personal services in the District of Columbia.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Mount Vernon Memorial Highway, Arlington Memorial Bridge, George Washington Memorial Parkway, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat., 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force for the Mount Vernon Memorial Highway and the George Washington Memorial Parkway, and the purchase of one passenger-carrying automobile and operation, maintenance, repair, exchange, and storage of three automobiles, revolvers, ammunition, uniforms, and equipment, per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, \$176,000.

## OFFICE OF EDUCATION

### SALARIES

For the Commissioner of Education and other personal services in the District of Columbia, \$266,400.

### GENERAL EXPENSES

For necessary traveling expenses of the Commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed \$500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, \$16,000.

For making surveys, studies, investigations, and reports regarding public, school, college, university, and other libraries; fostering coordination of public and school library service; coordinating library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among the more scholarly libraries, inter-State library cooperation, and the development of public, school, and other library service throughout the

Administration,  
etc., outside the Dis-  
trict.

*Proviso.*  
Services in the Dis-  
trict.

National Capital  
parks.  
Salaries and ex-  
penses.

46 Stat. 482.  
43 Stat. 174.

Vehicles.

Miscellaneous ex-  
penses.

Office of Education.

Salaries.

Commissioner, and  
office personnel.

General expenses.

Travel, attendance  
at meetings, etc.

Libraries of educa-  
tional institutions.  
Surveys, reports,  
etc., of.

Attendance at meetings, etc.

Agriculture and the mechanic arts.  
Further endowment of colleges of.

49 Stat. 436.

Vocational education.

Salaries and expenses.

39 Stat. 933; 40 Stat. 345.  
20 U. S. C. § 15.

49 Stat. 1489.  
20 U. S. C., Supp. II, § 15k.  
Further development in States and Territories.  
49 Stat. 1488.  
20 U. S. C., Supp. II, §§ 15b-j.

Extending benefits to Hawaii.  
39 Stat. 929; 43 Stat. 18.  
20 U. S. C. §§ 11-18, 29.

Extending benefits to Puerto Rico.  
39 Stat. 929; 46 Stat. 1489.  
20 U. S. C. §§ 11-18; 29 U. S. C. §§ 31-35; 20 U. S. C. § 30.

Cooperative vocational rehabilitation of persons disabled in industry.  
41 Stat. 735; 43 Stat. 431; 46 Stat. 524; 47 Stat. 448.

29 U. S. C. §§ 31-40.  
49 Stat. 620.

Proviso.  
Basis of apportionment.

country, and for the administrative expenses incident to performing these duties, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia and elsewhere, as the Commissioner of Education may deem necessary, necessary traveling expenses, including attendance at meetings of educational associations, societies, and other organizations, purchase of miscellaneous supplies, equipment, stationery, typewriters, and exchange thereof, postage on foreign mail, purchase of books of reference, law books, and periodicals, printing and binding, and all other necessary expenses, \$25,000.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat., p. 436), \$1,980,000.

#### VOCATIONAL EDUCATION

Salaries and expenses: For carrying out the provisions of section 7 of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917, as amended by the Act of October 6, 1917 (U. S. C., title 20, sec. 15), and of section 4 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488), \$425,000.

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488-1490), \$14,483,000.

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 20, sec. 29), \$30,000.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 20, secs. 11-18; title 29, secs. 31-35; U. S. C., title 20, sec. 30), \$105,000.

Cooperative vocational rehabilitation of persons disabled in industry: For carrying out the provisions of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920 (U. S. C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U. S. C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31-40), and section 531 (a) of the Act of August 14, 1935 (49 Stat., p. 620), \$1,800,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$1,938,000, as authorized by the Acts approved June 2, 1920, June 5, 1924, June 9, 1930, June 30, 1932, and August 14, 1935.

Salaries and expenses, vocational rehabilitation: For carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920 (U. S. C., title 29, sec. 35), and the Acts of June 5, 1924 (U. S. C., title 29, sec. 31), June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31, 40), and August 14, 1935 (49 Stat. 620), and for carrying out the provisions of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes", approved June 20, 1936 (49 Stat., p. 1559, 1560), \$95,000.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (45 Stat., p. 1260), \$15,000.

Promotion of vocational rehabilitation of persons disabled in industry in Hawaii: For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (U. S. C., title 29, secs. 31-44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 29, sec. 45), \$5,000.

Promotion of vocational rehabilitation of persons disabled in industry in Puerto Rico: For extending to the island of Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (U. S. C., title 29, secs. 31-44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 29, sec. 45a), \$15,000.

Not to exceed an aggregate of \$3,000 of appropriations available to the Office of Education for salaries and expenses for vocational education shall be used for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the Commissioner of Education are necessary for the efficient discharge of its responsibilities.

## GOVERNMENT IN THE TERRITORIES

### TERRITORY OF ALASKA

Salaries of the Governor and of the secretary, \$15,600.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed \$7,520; janitor service for the Governor's office and the executive mansion, not to exceed \$3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, \$14,810, to be expended under the direction of the Governor.

Salaries and expenses, vocational rehabilitation.

29 U. S. C. §§ 35, 31, 40.  
49 Stat. 620.  
29 U. S. C., Supp. II, § 45b.  
Operation of stands in Federal buildings by blind persons.  
49 Stat. 1559.

Cooperative vocational rehabilitation of disabled residents of District of Columbia.

45 Stat. 1260.

Provisions extended to Hawaii.

41 Stat. 735; 43 Stat. 18.  
29 U. S. C. §§ 31-45.

Extending benefits to Puerto Rico.  
39 Stat. 930; 46 Stat. 1489.  
29 U. S. C. §§ 31-44, 45a.

Attendance at meetings.

Government in the Territories.

Alaska.

Governor and secretary.  
Incidental and contingent expenses.

Public schools, establishment, etc.  
*Proviso.*  
 Limitation on expenditures.  
 48 Stat. 1227.

Care of insane.

*Provisos.*  
 Payments to institutions authorized.

Ascertaining and returning inmates, not legal residents, to their legal residence, etc.

Roads, bridges, trails, etc., repair and maintenance.

48 U. S. C. §§ 321a-321c.

Road, etc., construction.

*Proviso.*  
 Limitation on expenditures.  
 48 Stat. 1227.

Alaska Railroad, maintenance, etc.

Operation, etc., of vessels.

Injury Compensation Act, payments under.  
 5 U. S. C. § 793.

*Provisos.*  
 Services in the District.

For the establishment and maintenance of public schools, Territory of Alaska, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation of medical supervisor, transportation, burial, and other expenses, \$190,600: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed \$600 per capita per annum to and including January 15, 1938, and, thereafter, the per-capita rate of the lowest responsible bidder, for the care and maintenance of Alaskan insane patients during the fiscal year 1938: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of Public Resolution Numbered 218, approved June 30, 1932 (U. S. C., title 48, secs. 321a-321c), \$535,000, including not to exceed \$2,000 for repair and maintenance of Government wharf at Juneau, Alaska, to be immediately available.

For the construction, repair, and maintenance of roads, tramways, bridges, trails, and aviation fields, Territory of Alaska, \$130,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

The Alaska Railroad: The revenues of the Alaska Railroad received during the fiscal year 1938 shall be available, and continue available until expended, for every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal

year 1938, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$10,000 of such fund shall be available for printing and binding. In addition to this fund there shall be available from the general fund of the Treasury \$200,000, for such capital expenditures only as are chargeable to capital account under accounting regulations prescribed by the Interstate Commerce Commission, which amount shall be available immediately.

## TERRITORY OF HAWAII

Salaries of the Governor and of the secretary, \$15,800.

For contingent expenses, to be expended by the Governor for stationery, postage, and incidentals, and for traveling expenses of the Governor while absent from the capital on official business, \$2,000; private secretary to the Governor, \$3,100; temporary clerk hire, \$750; in all, \$5,850.

## GOVERNMENT OF THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (U. S. C., title 48, sec. 1391), and June 22, 1936 (Public Numbered 749, Seventy-fourth Congress), traveling expenses of officers and employees, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed \$5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment, and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix; \$116,000.

For salaries and expenses of the agricultural experiment station and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed \$2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$35,000.

For defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1938, municipality of Saint Thomas and Saint John, \$60,000, and municipality of Saint Croix, \$50,000; in all, \$110,000, to be paid to the said treasuries in monthly installments.

## PUERTO RICAN HURRICANE RELIEF

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loans heretofore made, as authorized by Public Resolutions Numbered 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed \$25,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on

Salary restriction.

Printing and binding.

Capital expenditures chargeable to capital account.

Hawaii.

Governor and secretary.  
Contingent expenses.

Virgin Islands.

Governor, and other personal services.  
39 Stat. 1132.  
48 U. S. C. § 1391.  
49 Stat. 1807.  
Miscellaneous expenses.

Agricultural experiment station and vocational school.

Deficits of municipal governments.

Puerto Rican hurricane relief.

Administrative expenses.

45 Stat. 1067; 46 Stat. 57.  
Loan adjustments.

49 Stat. 926, 928.

Use of balances.

such loans, is hereby made available for administrative expenses during the fiscal year 1938.

Equatorial and  
South Sea Islands.  
  
Administrative ex-  
penses.

EQUATORIAL AND SOUTH SEA ISLANDS

For administrative expenses of the Division of Territories and Island Possessions, in carrying out the provisions of Executive Order Numbered 7368, approved May 13, 1936, relating to certain islands of the United States situate in the Pacific Ocean, namely, Jarvis, Baker, and Howland Islands, including personal services outside the District of Columbia (such employment to be by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes), rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, \$30,000.

R. S. § 3709.  
41 U. S. C. § 5.

Saint Elizabeths  
Hospital.  
  
Maintenance, etc.

SAINT ELIZABETHS HOSPITAL

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, including not exceeding \$27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed \$185,000 for repairs and improvements to buildings and grounds, \$1,149,750, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends; not exceeding \$1,500 in the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That not exceeding \$200 additional may be paid to two employees to provide mail facilities for patients in the hospital: *Provided further*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1938 the District of Columbia, or any branch of the Gov-

Insane citizens in  
Canada.

Vehicles.

Repairs and im-  
provements.

Removal of patients  
to their friends.

*Proviso.*  
Returning inmates  
no longer Federal  
charges.

Mail facilities.

Butter substitutes,  
restriction.

Patients of the Dis-  
trict, etc.

ernment requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Secretary of the Interior.

Credit for pay-  
ments.

For construction and equipment of a continuous-treatment building, including preparation of plans and specifications, advertising, and supervision of construction, \$290,000.

Continuous-treat-  
ment building.  
Construction and  
equipment.

For an additional amount for construction and equipment of a continuous-treatment building, including preparation of plans and specifications, advertising and supervision of construction, contained in the Interior Department Appropriation Act, fiscal year 1937, to be immediately available, \$40,000.

Additional amount.

To furnish a driveway under Nichols Avenue, connecting two parts of the hospital, and for tunnel between C and M Buildings, for conveying food, \$56,000.

Driveway construc-  
tion.

## COLUMBIA INSTITUTION FOR THE DEAF

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, and including not to exceed \$13,000 for improvement to the power, heating, and lighting system, \$145,000.

Columbia Institu-  
tion for the Deaf.

Maintenance, etc.

## HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$530,000;

Howard University.

Salaries, etc.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, \$170,000;

General expenses.

Total, Howard University, \$700,000.

## FREEDMEN'S HOSPITAL

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, \$218,100; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, purchase of ambulance at not to exceed \$2,500, and maintenance and operation of passenger-carrying vehicles, including not exceeding \$300 for the purchase of books, periodicals, and newspapers; and

Freedmen's Hos-  
pital.

Salaries, etc.

Contingent ex-  
penses.



Division of ex-  
penses.

Field work appro-  
priations available for  
work animals, etc.

Appropriations and  
authority made avail-  
able from July 1, 1937.

Incurred obligations  
ratified.

Short title.

not to exceed \$1,500 for the special instruction of pupil nurses, and other absolutely necessary expenses, \$111,310; in all, for Freedmen's Hospital, \$329,410, including reimbursement to the appropriation for Howard University of actual cost of heat and light furnished, of which amount of \$329,410 one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 4. This Act may be cited as the "Interior Department Appropriation Act, 1938".

Approved, August 9, 1937.

#### [CHAPTER 571]

#### AN ACT

To authorize the sale of surplus War Department real property.

August 10, 1937  
[S. 1281]

[Public, No. 250]

War Department.  
Sale of designated  
cemetery properties  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to sell or cause to be sold, in the manner and upon such terms as he shall deem expedient, the cemetery properties hereinafter designated and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale and conveyance, and that the expense of sale shall be paid from the proceeds thereof, and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts:

Laurel Hill Cemetery, Baltimore, Maryland, approximate area, five-tenths of an acre.

Confederate Lot, Greenlawn Cemetery, Indianapolis, Indiana, approximate area, five-tenths of an acre.

Point Lookout, Confederate Cemetery, Maryland (tracts numbered 1 and 2), approximate area, five and five-tenths acres.

Camp Dennison Cemetery, near Cincinnati, Ohio, approximate area, six hundred and twenty-eight one-thousandths of an acre.

Cave Hill National Cemetery, Louisville, Kentucky (site of superintendent's lodge), approximate area, twenty-two one-hundredths of an acre.

Mobile National Cemetery, Mobile, Alabama (Freedman's Lot), approximate area, one and five-tenths acres.

Approved, August 10, 1937.

[CHAPTER 572]

## JOINT RESOLUTION

Consenting to an interstate oil compact to conserve oil and gas.

August 10, 1937

[S. J. Res. 183]

[Pub. Res., No. 57]

Oil and gas conservation.

Consent given to extension of interstate compact concerning.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby given to an extension and renewal for a period of two years from September 1, 1937, of the interstate compact to conserve oil and gas, executed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of the States of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by H. J. Res. 407, approved August 27, 1935 (Public Resolution Numbered 64, Seventy-fourth Congress). The extended and renewed compact, executed in New Orleans, Louisiana, the 10th day of May 1937 by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and there recommended for ratification by representatives of the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and since ratified by the said States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, which extended and renewed compact has been deposited in the Department of State of the United States, and reads as follows:

49 Stat. 939.

Text of compact.

## "ARTICLE I

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

## "ARTICLE II

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

## "ARTICLE III

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of—

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

#### "ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

#### "ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

#### "ARTICLE VI

"Each State joining herein shall appoint one representative to a commission hereby constituted and designated as The Interstate Oil Compact Commission, the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

#### "ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

#### "ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the

archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified and ratified.

"Done in the City of Dallas, Texas, this sixteenth day of February, 1935.

"And whereas, it is desired to extend and renew said Compact for the period of two (2) years from September 1, 1937, its expiration date;

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the said Compact entitled 'An interstate compact to conserve oil and gas' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same is hereby, extended for a period of two (2) years from September 1, 1937, its date of expiration, this agreement to become effective within those States joining herein when executed by any three of the States of Texas, Oklahoma, California, Kansas and New Mexico, and consent thereto is given by Congress.

"The signatory States execute this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States.

"Executed as of this the 10th day of May, 1937, by the several undersigned States, at their several Capitols, through their proper officials thereunto duly authorized by resolutions or statutes of the several States."

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Approved, August 10, 1937.

Rights reserved.

## [CHAPTER 573]

### AN ACT

To provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Company on the Isthmus of Panama.

August 10, 1937  
[S. 81]  
[Public, No. 251]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended by adding at the end thereof the following paragraph:*

Canal Zone Code,  
amendment.  
48 Stat. 1122.

"Any citizen of the United States separated from the service of either the Panama Canal or the Panama Railroad Company on the Isthmus of Panama subsequent to August 1, 1920, and before July 1, 1926, not by removal for cause on charges of misconduct or delinquency, upon making the necessary contributions to the retirement and disability funds as provided in this article and who meets the requirements as to age and service set forth in said section 103 of title 2 of the Canal Zone Code, approved June 19, 1934, shall be entitled to an annuity computed in accordance with the provisions of this article, notwithstanding the fact that his separation from the service occurred prior to the existence of any retirement Act applicable to employees of the Panama Canal or the Panama Railroad on the Isthmus of Panama: *Provided, That such annuity shall be payable only from the date of enactment of this Act.*"

Retirement annuities to certain former employees of Panama Canal, etc.

*Proviso.*  
No prior benefits.

Approved, August 10, 1937.

## [CHAPTER 574]

## AN ACT

To authorize exchange of lands at military reservations, and for other purposes.

August 10, 1937  
[S. 1278]  
[Public, No. 252]

Military reserva-  
tions.  
Exchange of certain  
lands authorized.

Jeffersonville Quar-  
termaster Depot, Ind.

Plattsburg Bar-  
racks, N. Y.

Exchange in public  
interest.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to convey by quitclaim deeds the tracts of real estate now owned by the United States hereafter described, and in exchange therefor to acquire the title to the tracts hereafter described, or rights pertaining thereto or interests therein, for the purposes named:

(a) A strip of land comprising part of the Quartermaster Depot Military Reservation at Jeffersonville, Indiana, lying along the right-of-way of the Louisville and Jeffersonville Bridge and Railroad Company as part of the consideration for land now owned by said railroad company lying adjacent to the main section of said depot.

(b) To enter into and execute an agreement or agreements with the owners or claimants of adjoining land to fix and establish a location for the western boundary line of that part of the Plattsburg Barracks Military Reservation, New York, acquired from Pliny Moore, and others, by deed dated December 30, 1814, and he may, if he deems it advisable, give to or receive from such owners or claimants appropriate releases, by way of quitclaim deeds or otherwise.

SEC. 2. That in conveying property of the United States under authority contained in this Act, the Secretary of War shall determine that the exchange is to the best interest of the Government.

Approved, August 10, 1937.

## [CHAPTER 578]

## AN ACT

Authorizing credits to disbursing officers for expenses incident to the creation of subsistence homesteads corporations.

August 11, 1937  
[S. 2157]  
[Public, No. 253]

Subsistence home-  
steads corporations.  
Credits authorized  
to disbursing officers  
for expenses incident  
to creation of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers for all otherwise proper payments heretofore made by them as fees and expenses incident to the creation or organization of subsistence homesteads corporations sponsored by the Secretary of the Interior pursuant to Executive Order Numbered 6209 of July 21, 1933.

Approved, August 11, 1937.

## [CHAPTER 579]

## AN ACT

To amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929.

August 11, 1937  
[H. R. 6696]  
[Public, No. 254]

Healing Arts Prac-  
tice Act, D. C., 1928,  
amendment.  
45 Stat. 1334.  
Time limitation for  
filing application for  
license to practice  
repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929, be amended by striking from the first paragraph of section 24 thereof the sentence reading as follows: "After five years after the approval of this Act the commission shall issue no license to practice the healing art in the District of Columbia on the basis of a license to practice medicine and surgery or to practice midwifery, in the District of Columbia, in force on the date of its approval."

Approved, August 11, 1937.

## [CHAPTER 580]

## AN ACT

To amend the Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911.

August 11, 1937  
[H. R. 7614]  
[Public, No. 255]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911 (36 Stat. 1353; U. S. C., title 34, secs. 1121-1123), is amended by adding at the end of the first section the following paragraph:

Marine schools.

36 Stat. 1353.  
34 U. S. C. §§ 1121-1123.

"Port of Norfolk" construed.

"The port of Norfolk specified in the preceding paragraph shall be construed as embracing Norfolk, or Portsmouth, or Newport News, or any other city, town, municipality, or locality within the territorial limits of the customs-collection district having its headquarters at Norfolk, Virginia."

Approved, August 11, 1937.

## [CHAPTER 581]

## AN ACT

To authorize the administration of oaths by the Chief Clerk and the Assistant Chief Clerk of the Office of the United States High Commissioner to the Philippine Islands, and for other purposes.

August 11, 1937  
[H. R. 7727]  
[Public, No. 256]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby conferred upon the Chief Clerk and the Assistant Chief Clerk, respectively, of the Office of the United States High Commissioner to the Philippine Islands, the authority whenever either of them is required or deems it necessary or proper so to do at any place within the territorial limits of the Commonwealth of the Philippines, to administer to or take from any person an oath, affirmation, affidavit, or deposition, and to perform any notarial act which any notary public is required or authorized by law to do within the United States or any of its possessions. Every such oath, affirmation, affidavit, deposition, and notarial act administered, sworn, affirmed, taken, had, or done, by or before such Chief Clerk or Assistant Chief Clerk when certified under their respective hands and accompanied by a certificate attesting the official position of the person certifying as such Chief Clerk or Assistant Chief Clerk, under the hand and the seal of office of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be as valid, and of like force and effect within the United States and its possessions, to all intents and purposes, as if administered, sworn, affirmed, taken, had, or done by or before any other person within the United States or its possessions duly authorized and competent thereto: *Provided*, That nothing herein contained shall be held to limit or to replace any provision of law now in force in the Philippine Islands relative to the administration of oaths or the performance of notarial acts therein.

Philippine Islands.  
Administration of oaths, etc., by certain officials of the office of High Commissioner to.

Force and effect.

*Proviso.*  
Existing provisions of law not replaced.

SEC. 2. Any person who shall willfully and corruptly misstate, or by any means procure any person to misstate, any material fact or matter in any such oath, affirmation, affidavit, or deposition, or shall forge any of the signatures or the seal hereinbefore mentioned or shall tender in evidence any of the documents heretofore mentioned with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit, may be charged and tried in any court of the United States or of its possessions, including the Commonwealth of the Philippines, within whose territorial jurisdiction

False, etc., statements, forgery, penalty for.

he may be found, and upon conviction of any offense herein described shall be imprisoned for not less than one nor more than three years, and fined in a sum not to exceed \$3,000.

SEC. 3. Any document mentioned herein purporting to have subscribed thereto or thereon the signature of the official administering or taking the same in testimony thereof, when accompanied by the above-mentioned certificate of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be admitted in evidence without proof of the genuineness of the signature or seal of any official herein mentioned or of the official position of such official.

Approved, August 11, 1937.

[CHAPTER 588]

AN ACT

To add certain lands to the Columbia National Forest in the State of Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to any valid existing claim or entry, all lands of the United States within the areas hereinafter described be, and the same are hereby, added to and made parts of the Columbia National Forest, in the State of Washington, to be hereinafter administered under the laws and regulations relating to the national forests; and the provisions of the Act approved March 20, 1922 (U. S. C., title 16, secs. 486, 487), as amended, are hereby extended and made applicable to all other lands within the said described area.

Sections 1 to 3, inclusive, and 11 and 12, township 2 north, range 4 east; sections 1 to 3, inclusive, 6 to 8, inclusive, and 10 to 36, inclusive, township 3 north, range 4 east; sections 1 to 28, inclusive, 34 to 36, inclusive, township 4 north, range 4 east; all of township 5 north, range 4 east; sections 1, 2, 11 to 15, inclusive, 22 to 27, inclusive, and 33 to 36, inclusive, township 6 north, range 4 east; sections 4 to 9, inclusive, 16 to 21, inclusive, 28 to 33, inclusive, township 6 north, range 5 east, all in the State of Washington, Willamette meridian.

Approved, August 12, 1937.

[CHAPTER 589]

AN ACT

To amend section 77B of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subdivision (c) of section 77B of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended (U. S. C., 1934 ed., title 11, sec. 207 (c)), is amended by inserting after clause (3) thereof the following: "(3½) may, for cause shown, and in accordance with such rules as to notice and hearing as the Supreme Court may prescribe, authorize the debtor, or the trustee or trustees, if appointed, to lease or sell, upon such terms and conditions as may be approved by the judge, any property of the debtor, whether real or personal;".

Approved, August 12, 1937.

Authenticated documents, admissibility in evidence.

August 12, 1937

[H. R. 3866]

[Public, No. 257]

Columbia National Forest, Wash.  
Lands added.

Sale of timber.  
42 Stat. 465.  
16 U. S. C. §§ 485, 486.

Description.

August 12, 1937

[H. R. 4343]

[Public, No. 258]

Bankruptcy Act of 1898, amendment.  
48 Stat. 916.  
11 U. S. C. § 207 (c).  
Reorganization, etc., of private corporations.

Power of Court to authorize lease or sale of debtor's property.

## [CHAPTER 590]

## AN ACT

Granting a renewal of patent numbered 60731 relating to the badge of the Girl Scouts, Incorporated.

August 12, 1937  
[H. R. 5194]  
[Public, No. 259]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a certain design patent issued by the United States Patent Office of date of March 28, 1922, being patent numbered 60731, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as the badge of the Girl Scouts, Incorporated.

Girl Scouts, Inc.  
Patent on badge,  
renewed.

Approved, August 12, 1937.

## [CHAPTER 591]

## AN ACT

Providing for the establishment of a term of the District Court of the United States for the Northern District of New York at Malone, New York.

August 12, 1937  
[H. R. 5963]  
[Public, No. 260]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a term of the District Court of the United States for the Northern District of New York shall be held annually at Malone, New York, on the second Tuesday in July: *Provided,* That suitable rooms and accommodations for holding court at Malone, New York, are furnished without expense to the United States until, upon the recommendation of the Attorney General, such accommodations are furnished by the United States.

District court for  
New York Northern  
District.  
Term at Malone.

*Proviso.*  
Rooms, etc.

Approved, August 12, 1937.

## [CHAPTER 592]

## AN ACT

To authorize the city of Chamberlain, South Dakota, to construct, equip, and maintain tourist cabins on American Island, South Dakota, to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes.

August 12, 1937  
[S. 1266]  
[Public, No. 261]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 21, as amended, of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889, the city of Chamberlain, South Dakota, is authorized, for the purpose of maintaining, developing, and policing American Island, South Dakota, to construct, equip, and maintain a tourist camp and tourist cabins on such island and to charge for the use thereof; to operate and maintain amusement, recreational, and athletic facilities on such island, to charge for admission thereto, and to collect reasonable fees for any concessions granted in connection with amusement, recreational, and athletic entertainments; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to maintain improvements placed on such island by or in cooperation with the National Park Service: *Provided,* That all enterprises operated on American Island shall be owned and operated by the city of Chamberlain and all profit derived

Chamberlain,  
S. Dak.  
25 Stat. 896.  
Construction, etc.,  
tourist cabins on  
American Island by,  
authorized.

Operation of amusement, athletic, etc., facilities.

Lease of portion for Girl Scout, etc., encampments.

*Proviso.*  
Enterprises: ownership, operation, etc.: use of profits.



Regulatory provi-  
sions.

therefrom shall be maintained by such city in a separate fund, which shall be used exclusively for the maintenance, development, and policing of such island: *Provided further*, That this Act shall become effective only after the city of Chamberlain makes regulatory provision to carry out the terms of the Act and after such regulations have been certified to the Secretary of the Interior.

Approved, August 12, 1937.

[CHAPTER 593]

AN ACT

August 12, 1937

[S. 1935]

[Public, No. 262]

To authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of disbursing officers or agents of the Government for payments made pursuant to certain adjustments and increases in compensation of Government officers and employees.

Government dis-  
bursing officers, etc.

Credit for certain  
payments made by,  
during fiscal years 1934  
and 1935.

47 Stat. 1515.

Release of accounta-  
bility.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any provisions of section 7 of the Act of March 3, 1933, as amended and extended, the Comptroller General of the United States is hereby authorized and directed to allow credit for all outstanding disallowances and suspensions in the accounts of any disbursing officer or agent for payments made pursuant to adjustments and increases in compensation of officers and employees of any executive department, independent establishment, or other agency of the United States made or granted during or for the fiscal years ended June 30, 1934, and June 30, 1935, pursuant to the provisions of Executive Order Numbered 6746 of June 21, 1934, and Executive orders which that order superseded, in all cases in which the compensation of such officers or employees was paid out of emergency appropriations; and no amounts so paid and not heretofore recovered shall be charged against the payees on account of said payments.

Approved, August 12, 1937.

[CHAPTER 594]

AN ACT

August 12, 1937

[H. R. 169]

[Public, No. 263]

To provide for a term of court at Benton, Illinois.

Judicial Code,  
amendment.

36 Stat. 1110.

28 U. S. C. § 152.

Illinois judicial dis-  
tricts.

Northern district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 79 of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 152) is amended to read as follows:

"The State of Illinois is divided into three districts, to be known as the northern, southern, and eastern districts of Illinois. The northern district shall include the territory embraced on the 1st day of July 1910 in the counties of Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, La Salle, McHenry, and Will, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Boone, Carroll, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, and Winnebago, which shall constitute the western division. Terms of the district court for the eastern division shall be held at Chicago on the first Mondays in February, March, April, May, June, July, September, October, and November, and the third Monday in December; and for the western division, at Freeport on the third Mondays in April and October. The clerk of the court for the northern district shall maintain an office in charge of himself or a deputy at Chicago and

Terms.

Offices.

at Freeport, which shall be kept open at all times for the transaction of the business of the court. The marshal for the northern district shall maintain an office in the division in which he himself does not reside and shall appoint at least one deputy who shall reside therein. The southern district shall include the territory embraced on the 1st day of July 1910 in the counties of Bureau, Fulton, Henderson, Henry, Knox, Livingston, McDonough, Marshall, Mercer, Putnam, Peoria, Rock Island, Stark, Tazewell, Warren, and Woodford, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Adams, Bond, Brown, Calhoun, Cass, Christian, De Witt, Greene, Hancock, Jersey, Logan, McLean, Macon, Macoupin, Madison, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Schuyler, and Scott, which shall constitute the southern division. Terms of the district court for the northern division shall be held at Peoria on the third Mondays in April and October; for the southern division, at Springfield on the first Mondays in January and June, and at Quincy the first Mondays in March and September. The clerk of the court for the southern district shall maintain an office in charge of himself or a deputy at Peoria, at Springfield, and at Quincy, which shall be kept open at all times for the transaction of the business of the court. The marshal for said southern district shall appoint at least one deputy residing in the said northern division, who shall maintain an office at Peoria. The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Alexander, Champaign, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Hamilton, Hardin, Iroquois, Jackson, Jasper, Jefferson, Johnson, Kankakee, Lawrence, Marion, Massac, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saint Clair, Saline, Shelby, Union, Vermilion, Wabash, Washington, Wayne, White, and Williamson. Terms of the district court for the eastern district shall be held at Danville on the first Mondays in March and September; at Cairo, on the first Mondays in April and October; at East Saint Louis, on the first Mondays in May and November; and at Benton on the first Mondays in June and December: *Provided*, That facilities for holding court at Benton are furnished free of expense to the United States. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Danville, at Cairo, at East Saint Louis, and at Benton, which shall be kept open at all times for the transaction of the business of the court, and shall there keep the records, files, and documents pertaining to the court at that place."

Southern district.

Terms.

Offices.

Eastern district.

Terms.

*Proviso.*  
Accommodations at  
Benton.

Approved, August 12, 1937.

## [CHAPTER 595]

## AN ACT

Relating to the accommodations for holding court at Shawnee, Oklahoma.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for the establishment of a term of the District Court of the United States for the Western District of Oklahoma at Shawnee, Oklahoma", approved May 13, 1936 (U. S. C., 1934 ed., Supp. II, title 28, sec. 182), is amended by striking out the period at the end of the proviso and adding the following: "until, subject to the recommendation of the Attorney General of the United

August 12, 1937  
[H. R. 4605]  
[Public, No. 264]

Oklahoma Western  
Judicial District.  
49 Stat. 1271.  
28 U. S. C., Supp.  
II, § 182.

Court accommoda-  
tions at Shawnee.

States with reference to providing such rooms and accommodations for holding court at Shawnee, a public building shall have been erected or other Federal space provided for court purposes in said city."

Approved, August 12, 1937.

[CHAPTER 596]

AN ACT

August 12, 1937

[H. R. 5462]

[Public, No. 265]

To increase the age of consent for marriage in the District of Columbia to eighteen years of age in the case of males and sixteen years of age in the case of females.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph "Fourth" of section 1285 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended to read as follows:

"Fourth. When either of the parties is under the age of consent, which is hereby declared to be eighteen years of age for males and sixteen years of age for females."

SEC. 2. A license to marry shall not be issued until three days have elapsed from date of application for issuance of said license.

SEC. 3. This Act shall take effect on the thirtieth day after the date of its enactment.

Approved, August 12, 1937.

[CHAPTER 597]

AN ACT

August 12, 1937

[H. R. 6242]

[Public, No. 266]

To protect the buyers of potatoes in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no person, firm, or corporation shall sell, offer for sale, keep, or expose for sale in the District of Columbia potatoes in any package which is not plainly marked or labeled with the name of the United States grade which represents a standard no higher than the actual grade of potatoes contained therein: *Provided, however*, That the term "unclassified" or "ungraded" may be used. The superintendent of weights, measures, and markets shall administer this Act and the Commissioners of the District of Columbia are authorized to establish necessary rules and regulations therefor.

SEC. 2. No person, firm, or corporation shall sell, offer for sale, keep or expose for sale in the District of Columbia any potatoes otherwise than in packages as provided in section 1 of this Act without having plainly and conspicuously displayed in proximity to said potatoes a printed sign where it may readily be seen and in letters of not less than one-half inch high printed in Gothic type clearly and distinctly stating the United States grade of said potatoes.

SEC. 3. The provisions of this Act shall not apply to officially certified seed potatoes which meet the grade or certification requirements as labeled and which are sold exclusively for seed purposes, provided they are sold in original packages and bear the official seal and certification of the department of agriculture of the State or country where the potatoes were grown.

SEC. 4. Any person, firm, or corporation which shall violate any provisions of this Act shall be fined not more than \$50 for the first offense and not more than \$200 for each subsequent offense.

Approved, August 12, 1937.

District of Columbia.  
31 Stat. 1391; 32 Stat. 543.

Age of consent for marriage increased.

Issuance of license; time provision.

Effective date.

District of Columbia.  
Protection of potato buyers.  
U. S. grade to be indicated on each package.

*Proviso.*  
Terms permitted.  
Administration, rules, etc.

Sale, etc., otherwise than in packages.

Certified seed potatoes sold for seed purposes.

Penalty for violation.

[CHAPTER 598]

## AN ACT

To increase the punishment of second, third, and subsequent offenders against the narcotic laws.

August 12, 1937  
[H. R. 6283]  
[Public, No. 267]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a person who, after having been convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports, or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such second offense, be fined not more than \$5,000 or imprisoned in a Federal penitentiary for not more than ten years, or both, in the discretion of the court, whenever the fact of such previous conviction is established in the manner prescribed in section 3 of this Act.

Narcotic laws.  
Punishment for violations of.  
Second offense; fine, imprisonment.

SEC. 2. A person who, after having been two times convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such third offense, or any offense subsequent thereto, be fined not more than \$10,000 or imprisoned in a Federal penitentiary for not more than twenty years, or both, in the discretion of the court, whenever the fact of such previous convictions is established in the manner prescribed in section 3 of this Act.

Third offense.

SEC. 3. Whenever it shall appear, after conviction and before or after sentence, that a person convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of the narcotic drugs enumerated in this Act has previously been convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of said narcotic drugs, in violation of the laws of the United States, it shall be the duty of the United States district attorney for the district in which such subsequent conviction was had to file an information alleging that the defendant has previously been so convicted, and further alleging the number of such previous convictions. The court in which the defendant was convicted shall cause the said defendant, whether confined in prison or otherwise, to appear before it and shall apprise him of the allegations of the information and of his right to a trial by jury as to the truth thereof. The court shall inquire of the defendant whether he is the person who has previously been convicted. If the defendant states he is not such person, or if he refuses to answer or remains silent, a plea of not guilty shall be entered by the court, and a jury shall be empaneled to determine whether the defendant is the person alleged in the information to have previously been convicted, and the number of such previous convictions. If after a trial on the sole issue of the truth of such allegations the jury determines that the defendant is in fact the person previously convicted as charged in the information, or if he acknowledges in open court, after being duly cautioned as to his rights, that he is such person, he shall be punished as prescribed in sections 1 or 2 of this Act, as the case may be, and the previous sentence of the court, if any, shall be vacated and there shall be deducted from the new sentence the amount of time actually served under the sentence so vacated.

Method by which  
previous conviction  
brought before court.

Procedure.

Approved, August 12, 1937.

## [CHAPTER 599]

## AN ACT

August 12, 1937  
[H. R. 6388]

[Public, No. 268]

To amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property.

District of Columbia Code, amendments.  
Offenses against property.  
31 Stat. 1323-1328.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subchapter 2 of chapter 19 of the Act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof (the same being title 6 of 1929 D. C. Code), be, and the same are hereby, amended as follows:

By striking out section 826 (title 6, sec. 60, 1929 D. C. Code) and inserting in lieu thereof the following:

Grand larceny.

"SEC. 826 (title 6, sec. 60, 1929, D. C. Code), GRAND LARCENY<sup>1</sup>.—Whoever shall feloniously take and carry away anything of value of the amount or value of \$50 or upward, including things savoring of the realty, shall suffer imprisonment for not less than one nor more than ten years."

By striking out section 827 (title 6, sec. 61, 1929 D. C. Code) and inserting in lieu thereof the following:

Petit larceny; order of restitution.

"SEC. 827 (title 6, sec. 61, 1929 D. C. Code). PETIT LARCENY; ORDER OF RESTITUTION.—Whoever shall feloniously take and carry away any property of value of less than \$50, including things savoring of the realty, shall be fined not more than \$200 or be imprisoned for not more than one year, or both. And in all convictions for larceny, either grand or petit, the trial justice may, in his sound discretion, order restitution to be made of the value of the money or property shown to have been stolen by the defendant and made way with or otherwise disposed of and not recovered."

By striking out section 842 (title 6, 85, 1929 D. C. Code) and inserting in lieu thereof the following:

False pretenses.

"SEC. 842 (title 6, sec. 85, 1929 D. C. Code). FALSE PRETENSES.—Whoever, by any false pretense, with intent to defraud, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft or check, or any other evidence of indebtedness, and whoever fraudulently sells, barters, or disposes of any bond, bill, receipt, promissory note, draft or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretense, shall, if the value of the property or the sum or value of the money or property so obtained, procured, sold, bartered, or disposed of is \$50 or upward, be imprisoned not less than one year nor more than three years; or, if less than that sum, shall be fined not more than \$200 or imprisoned for not more than one year, or both. Any person who obtains any lodging, food, or accommodation at an inn, boarding house, or lodging house, without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at such an inn, boarding house, or lodging house by the use of any false pretense, or who, after obtaining credit or accommodation at such an inn, boarding house, or lodging house, absconds or surreptitiously removes his baggage therefrom without paying for his food, accommodation, or lodging, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia be fined not more than \$100 or imprisoned not more than six months, or both, in the discretion of said court."

Defrauding inn-keeper, etc.

<sup>1</sup> So in original.

By striking out section 847 (title 6, sec. 91, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 847 (title 6, sec. 91, 1929 D. C. Code). Whoever maliciously cuts down or destroys by girdling or otherwise, any standing or growing vine, bush, shrub, sapling, or tree on the land of another, or severs from the land of another any product standing or growing thereon, or any other thing attached thereto, shall, if the value of the thing destroyed or the amount of damage done to any such thing or to the land is \$50 or more, be imprisoned for not less than one year nor more than three years, or, if such value or amount is less than that sum, shall be fined not less than \$5 nor more than \$100, or be imprisoned not more than one year, or both."

Malicious cutting down or destroying trees, etc.

By striking out section 848 (title 6, sec. 53, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 848 (title 6, sec. 53, 1929 D. C. Code). Whoever maliciously injures or destroys, or attempts to injure or destroy, by fire or otherwise, any movable property not his own, of the value of \$50 or more, shall be imprisoned for not less than one year and not more than ten years, and if the value of the property be less than \$50 by a fine not exceeding \$200 or by imprisonment not exceeding one year, or both."

Malicious burning, etc., of movable property.

By striking out section 851a and inserting in lieu thereof the following:

"SEC. 851a. Whoever shall be guilty of any offense defined in sections 834 (title 6, sec. 76, 1929 D. C. Code), 835 (title 6, sec. 77, 1929 D. C. Code), 836 (title 6, sec. 78, 1929 D. C. Code), 837 (title 6, sec. 79, D. C. Code), and 838 (title 6, sec. 80, 1929 D. C. Code) of the Code of Law for the District of Columbia shall, where the thing, evidence of debt, property, proceeds, or profits be of the value of less than \$50 be punished by imprisonment for not more than one year or a fine of not more than \$200 or both."

Penalties for designated offenses.

By striking out section 851b (title 6, sec. 98, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 851b (title 6, sec. 98, 1929 D. C. Code). That if any person entrusted with the possession of anything of value, including things savoring of the realty, for the purpose of applying the same for the use and benefit of the owner or person, so delivering it, shall fraudulently convert the same to his own use he shall, where the value of the thing so converted is \$50 or more, be punished by imprisonment for not less than one nor more than ten years, or by a fine of not more than \$1,000, or both; and where the value of the thing so converted is less than \$50 he shall be punished by imprisonment for not more than one year or by a fine of not more than \$500, or both: *Provided*, That nothing contained in this section shall be construed to alter or repeal any section contained in subchapter 2 of chapter 19 of this Code (title 6, ch. 3, 1929 D. C. Code)."

Larceny after trust.

*Provido*. Existing provisions not affected.

Approved, August 12, 1937.

## [CHAPTER 600]

### AN ACT

To legalize a dike in the Missouri River six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota.

August 12, 1937

[H. R. 6693]

[Public, No. 269]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the dike constructed from the left bank of the Missouri River to Farm Island, mile 1167.1 above the mouth, or six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota, by the South Dakota State Highway Commission, be, and the same is hereby, legalized to the same extent and with like effect

Missouri River. Dike to Farm Island in, near Pierre, S. Dak., legalized.

*Proviso.*  
Changes by owner.

*Amendment.*

as to all existing or future laws and regulations of the United States as if it had been constructed in accordance with the approved plans: *Provided*, That any changes in said dike which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

#### [CHAPTER 601]

#### AN ACT

August 12, 1937

[H. R. 6975]

[Public, No. 270]

Granting the consent of Congress to the county court of Saline County, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Arrow Rock, Missouri.

Missouri River.  
Saline County, Mo.,  
may bridge, at Arrow  
Rock.

Construction.

34 Stat. 84.

33 U. S. C. § 491.

Tolls applied for  
operation, sinking  
fund, etc.

Maintenance as free  
bridge after amortiz-  
ing costs.

Record of expenses  
and receipts.

*Amendment.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the county court of Saline County, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Arrow Rock, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

#### [CHAPTER 602]

#### AN ACT

August 12, 1937

[H. R. 6979]

[Public, No. 271]

To extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Texas.

Lake Sabine.  
Time extended for  
bridging, at Port  
Arthur, Tex.  
48 Stat. 1008; 49  
Stat. 1196.

*Amendment.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge over Lake Sabine, at or near Port Arthur, Texas, authorized to be built by the city of Port Arthur, Texas, or the Port Arthur Bridge Commission and its successors, by an Act of Congress approved June 18, 1934 (48 Stat. 1008), and heretofore amended and extended by an Act of Congress approved April 10, 1936, are hereby further extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

## [CHAPTER 603]

## AN ACT

To advance a program of national safety and accident prevention.

August 12, 1937  
[H. R. 7433]  
[Public, No. 272]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$35,000 to be expended under the direction of the Secretary of Commerce for the furtherance of the work of the Accident Prevention Conference. Money appropriated pursuant to this Act shall be available upon vouchers approved by the Secretary of Commerce for fostering accident-prevention work on the part of organizations engaged in the promotion of safety and accident prevention; preparation and printing of material designed to enlighten the general public in matters of safety and accident prevention, such material to be disseminated through schools, newspapers, magazines, the radio, or any other means of intercourse or communication; the preparation and attempts to obtain enactment of uniform vehicle regulations in the several States; clerical assistants for the members of the General Committee of the Accident Prevention Conference: *Provided*, That travel expenses incurred by members of the General Committee of the Accident Prevention Conference in the furtherance of the work of the said Conference shall be paid out of the amount appropriated.

National safety and accident prevention.  
Appropriation authorized for furthering work of conference on.  
*Post*, p. 762.

*Proviso.*  
Travel expenses.

Approved, August 12, 1937.

## [CHAPTER 604]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana.

August 12, 1937  
[H. R. 7440]  
[Public, No. 273]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by Act of Congress approved March 2, 1927, heretofore extended by Acts of Congress approved March 6, 1928, February 19, 1929, June 10, 1930, March 1, 1933, March 5, 1934, June 4, 1935, and June 20, 1936, are hereby further extended one and three years, respectively, from June 20, 1937: *Provided*, That the State of Louisiana, or any agency or authority created by it, may construct the bridge herein authorized.

Mississippi River.  
Time extended for bridging, between New Orleans and Gretna, La.  
44 Stat. 1270; 45 Stat. 193, 1229; 46 Stat. 551; 47 Stat. 1415; 48 Stat. 396; 49 Stat. 321, 1542.

*Proviso.*  
Construction by State, etc., permitted.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 12, 1937.

## [CHAPTER 605]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

August 12, 1937  
[H. R. 7514]  
[Public, No. 274]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York, authorized to be built by the Saint Lawrence Bridge Commission and its

Saint Lawrence River.  
Time extended for bridging, at Ogdensburg, N. Y.



48 Stat. 141, 927; 49 Stat. 301, 1202.

Amendment.

successors and assigns, by an Act of Congress approved June 14, 1933, and heretofore extended by Acts of Congress approved June 8, 1934, May 28, 1935, and April 11, 1936, are hereby extended one and three years, respectively, from the date of approval of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

# [CHAPTER 606]

## AN ACT

August 12, 1937

[H. R. 7714]

[Public, No. 275]

Hawaii.  
Exchange of certain  
lighthouse sites au-  
thorized.

Proviso.  
Conveyance to  
United States.

Hawaiian Commer-  
cial and Sugar Co.,  
Ltd., conveyance of  
land to.

Proviso.  
Parcels in exchange.

To authorize the Secretary of Commerce to transfer the two unused lighthouse sites in Kahului Townsite, Island of Maui, Territory of Hawaii, in exchange for two plots of land located in the same townsite and now occupied for lighthouse purposes under permission from the respective owners, the Kahului Railroad Company and the Hawaiian Commercial and Sugar Company, Limited.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce is hereby authorized to convey to the Kahului Railroad Company all that piece or parcel known as lot numbered 16, block "T", of Kahului Townsite, Island of Maui, Territory of Hawaii, containing an area of seven thousand and sixty-four square feet: *Provided*, That as a condition precedent to such transfer the said railroad company shall first convey to the United States of America, by warranty deed and free of all encumbrances, all that piece or portion of L. S. A. 7713, Apana 23, to Kamamalu, situate at Kahului, Island of Maui, Territory of Hawaii, being lot numbered 10, block "T", of Kahului Townsite, containing an area of seven thousand nine hundred and fifty-eight square feet. The respective parcels of land to be more particularly described in the deeds of conveyances.

The Secretary of Commerce is further authorized to convey to the Hawaiian Commercial and Sugar Company, Limited (a Hawaiian corporation), all that piece or parcel of land known as lot numbered 1, block "D", of Kahului Townsite, Island of Maui, Territory of Hawaii, containing an area of seven thousand seven hundred and forty square feet: *Provided*, That as a condition precedent to such transfer the said Hawaiian Commercial and Sugar Company, Limited, shall first convey to the United States of America, by warranty deed and free of all encumbrances, all that piece or portion of land in grant 3343 to Claus Spreckels, situate in Kahului, Island of Maui, Territory of Hawaii, being lot numbered 7, block "D", of Kahului Townsite, containing an area of seven thousand seven hundred and twenty-seven square feet. The respective parcels of land to be more particularly described in the deeds of conveyances.

Approved, August 12, 1937.

# [CHAPTER 607]

## AN ACT

August 12, 1937

[H. R. 7766]

[Public, No. 276]

Burr Creek.  
Portion of, Bridge-  
port, Conn., declared  
nonnavigable.

To declare Burr Creek, from Fairfield Avenue southward to Yacht Street in the city of Bridgeport, Connecticut, a nonnavigable stream.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That that portion of Burr Creek in the city of Bridgeport, Connecticut, lying north of a line across the creek beginning at the point of intersection of the south side of Yacht Street extended and the west harbor line of the harbor lines established by the Secretary of War December 9, 1924, thence south eighty-five degrees forty-six minutes seventeen seconds

east to the east harbor line of said creek, be, and the same is hereby, declared to be not a navigable water of the United States within the meaning of the Constitution and laws of the United States.

SEC. 2. That any project heretofore authorized by any Act of Congress, insofar as such project relates to the above described portion of Burr Creek in the city of Bridgeport, Connecticut, be, and the same is hereby, abandoned.

Projects abandoned.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

Approved, August 12, 1937.

#### [CHAPTER 608]

#### AN ACT

Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Cambridge Creek, in or near Cambridge, Dorchester County, Maryland, to replace a bridge already in existence.

August 12, 1937  
[H. R. 7807]

[Public, No. 277]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across Cambridge Creek, at a point suitable to the interests of navigation, in Cambridge, in Dorchester County, Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Cambridge Creek.  
Maryland may  
bridge, at Cambridge.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
493.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire  
real estate, etc.

Condemnation pro-  
ceedings.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 12, 1937.

#### [CHAPTER 609]

#### JOINT RESOLUTION

Granting the consent of Congress to the minimum-wage compact ratified by the Legislatures of Massachusetts, New Hampshire, and Rhode Island.

August 12, 1937  
[H. J. Res. 321]  
[Pub. Res., No. 58]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage, in States ratifying the same, which was signed in Concord, New Hampshire, on May 29, 1934, by representatives of the Governors of Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, and Pennsylvania, and which was ratified by the Legislature of Massachusetts on June

Interstate minimum  
wage, etc., compact.  
Ratification by des-  
ignated States ap-  
proved and declared  
effective.

30, 1934, by the Legislature of New Hampshire on May 29, 1935, and by the Legislature of Rhode Island on May 1, 1936, is hereby approved and declared to be effective in said States in accordance with the terms thereof, and hereafter in such States as may at any time ratify the same; which compact is as follows:

Uniform standards  
for conditions of em-  
ployment, etc.

## COMPACT FOR ESTABLISHING UNIFORM STANDARDS FOR CONDITIONS OF EMPLOYMENT, PARTICULARLY WITH REGARD TO THE MINIMUM WAGE, IN STATES RATIFYING THE SAME

Title I—Policy and  
intent.

### TITLE I—POLICY AND INTENT

Preamble.

Whereas enforcement among the industrial States of the Union of reasonably uniform standards for labor in industry, determined in accordance with the general welfare, would not only benefit labor but would be of real advantage to employers, removing the pressure toward low wages, long hours of work, exploitation of minors and women, and similar action commonly admitted to be injurious to all concerned; and

Whereas the advantages of such uniform standards have already been indicated by the operation of the National Industrial Recovery Act and the codes of fair competition adopted thereunder; and

Whereas such operation points to the desirability of continued uniform legislation affecting labor standards, by Federal action or otherwise, and of joint action by the States to establish such uniform standards; and

Whereas the establishment of reasonably uniform standards in States concerned with the same general fields of industry and competitors in the same markets will afford the advantages of stability in labor legislation to all concerned, with disadvantage to none: Now, therefore

Establishment of  
compact.

The States whose commissioners have signed this compact and which have, by their legislature, ratified the same, acting to promote the general welfare of the people, do hereby join in establishing the said compact to provide uniform minimum standards affecting labor and industry in the said States: *Provided, however,* That nothing herein contained shall be construed as abrogating, repealing, modifying, or interfering with the operation of laws already in effect in any State party hereto which establish standards equivalent to or above those herein specified, nor to prevent or discourage the enactment of additional laws establishing similar or higher standards; nor shall anything herein contained repeal or affect any laws concerning conditions of employment that are not in conflict herewith or that deal with subjects not included herein: *And provided further,* That no part of any title of this compact nor of any legislation adopted in pursuance thereof, except as may be expressly specified in such title or in such legislation, shall be in effect in any State party hereto until this compact shall have been approved as provided in section 6 of title II, but whenever title I and II hereof and any other title included herein are so approved and ratified, such titles shall be in full force and effect as laws of the States so approving and ratifying the same.

Provisions.  
Effect on existing  
laws.

Provisions and leg-  
islation ineffective  
until approval; excep-  
tion.

Post, p. 635.

Title II—General  
provisions.

### TITLE II—GENERAL PROVISIONS

Administrative  
agencies.

**SECTION 1.** Each State party to this compact shall require its administrative agency or agencies charged with the administration and enforcement of this compact and of State laws relating thereto, to make comprehensive and detailed reports concerning the operation

and administration of said compact and laws. Such agency shall report at least once each year and shall send copies of such report to the interstate commission established under the following section, to the Governors of the several ratifying States, and to the appropriate administrative agencies in such States.

SEC. 2. Each State party hereto shall make provision for a continuing unpaid commission representing industry, labor, and the public, and appointed by the Governor of said State, to deal with the other ratifying States concerning questions arising under this compact and the operation of the same within the limits of their respective States. The chairman of such State commission shall be designated by the Governor and shall be the representative of his State on an interstate commission which shall be composed of the representatives so designated by the several States parties to this compact. The Governors of the signatory States shall request the President of the United States to appoint a representative of the Federal Government to the interstate commission. The expenses of the interstate commission shall be shared equally by the States ratifying this compact. The interstate commission shall annually make a report of its activities and shall furnish copies to the Governors of the ratifying States and to the permanent commissions of such States.

Continuing unpaid commission to be provided by each State.

Federal representative.

SEC. 3. Should any question arise on the part of one or more of the States ratifying this compact, concerning a matter involved in said compact or in any State law adopted in pursuance thereof, then such question shall be brought before the said interstate commission for consideration. Said interstate commission shall make any necessary investigations, shall publish its findings and any recommendations and shall furnish copies of such findings and recommendations to the State commissions in each State party to this compact.

Questions arising under compact.

SEC. 4. If any ratifying State should desire a modification of any provision or provisions of this compact, or a revision of the entire compact, or if for any reason it should become desirable to extend the scope of said compact, the aforesaid interstate commission shall, upon the application of one or more of the ratifying States, and after thirty days' notice to the Governors and State commissions of the other States, proceed to consider such application and the reasons advanced for the proposed modification or revision and shall make such recommendations to the ratifying States concerning the same as may seem fitting and proper. Whenever said modification, revision, or extension is ratified in the manner prescribed in section 6 of this title for the ratification of this original compact and the Congress of the United States has consented thereto, then such modification, revision, or extension shall be in full force and effect in the States ratifying the same.

Proposed modifications.

SEC. 5. Each State party to this compact agrees that it will not withdraw therefrom until it has reported to the interstate commission the reasons for its desire to withdraw. The interstate commission shall, upon receipt of such report, investigate the situation and shall, within six months, submit its recommendations. If the State still desires to withdraw from the compact, it shall defer such action for two years from the date of the findings of the interstate commission.

Terms of withdrawal.

SEC. 6. Upon ratification by the legislative act of the requisite number of States as specified in subsequent titles of this compact, and with the consent of the Congress of the United States, this compact shall be in full force and effect in the States ratifying the same. Each State so ratifying shall forthwith enact necessary and suitable legislation to establish and maintain the minimum standards set forth in the following title or titles and shall make provision for the

When effective.

Duties of State after ratification.

continuing State commission required by section 2 of this title. The appropriate administrative agencies of each State shall thereafter enforce and supervise the operation of the laws relating to this compact and the laws enacted to make the provisions of said compact effective.

Compact open for ratification.

SEC. 7. Any State may at any time become a party to this compact by taking the action required by the preceding section of this title to ratify the same, subject to the consent of the Congress of the United States.

Saving clause.

SEC. 8. If any part of this compact or the application thereof to any person or circumstance should be held to be contrary to the constitution of any ratifying State or of the United States, all other separable parts of said compact and the application of such parts to other persons or circumstances shall continue to be in full force and effect.

Title III—Minimum wage.

### TITLE III—MINIMUM WAGE

Unfair wage to a woman or minor.

SECTION 1. No employer shall pay a woman, or a minor under twenty-one years of age, an unfair oppressive wage.

Authority of State agency.

SEC. 2. The State agency administering the minimum wage law enacted in conformity with this compact shall have authority to investigate the wages of women and minors; to appoint wage boards, upon which employers, employees, and the public shall have equal representation, for the purpose of recommending minimum fair wage rates for women and minors; and, after a public hearing, to enter directory orders based on the determinations of the wage boards, together with such administrative rulings as are appropriate to make the determinations effective; and may have further authority, without the agency of a wage board, to enter such orders in the case of occupations with less than a specified number of employees.

Administration of oaths, etc.

SEC. 3. The State administrative agency and the wage boards appointed by such agency shall have authority to administer oaths and to require by subpoena the attendance and testimony of witnesses and the production of records relative to the wages of women and minors.

Further authority and functions.

SEC. 4. The State administrative agency shall have further authority to inspect to determine compliance with its orders; to publish the names of employers violating a directory order; and, after a directory order has been in effect for a specified period, to make such order mandatory after a public hearing thereon. Such mandatory order shall carry a penalty of fine, imprisonment, or both. Said agency shall have authority to reconvene wage boards or to form new wage boards for the purpose of modifying wage orders. It shall have authority at any time on its own motion to modify administrative regulations after a public hearing thereon.

Issuance of special licenses.

SEC. 5. The State administrative agency shall have authority to issue special licenses to employees who, by reason of physical or mental condition are incapable of earning the minimum fair-wage rate established for the occupation in which they are employed. Said agency shall have authority to take assignment of wage claims at the request of women or minor employees paid less than the minimum wage to which they are entitled under a mandatory order, and to bring legal action necessary to collect such claims. Such employees shall be authorized, under the statute, to recover by civil action the full amount to which they are entitled under a mandatory fair-wage order.

Records to be kept; inspection, etc.

SEC. 6. Employers subject to the minimum-wage laws enacted in conformity herewith shall be required to keep specified records,

including the names, addresses, occupations, hours, and wages of the women and minors in their employ; to permit the inspection and transcript of such records by the State administrative agency and its authorized representatives; and upon request, to furnish said agency with a sworn statement of the same. Employers shall further be required to post and maintain the notices regarding wage orders issued by the State administrative agency.

Posting wage orders.

SEC. 7. Each minimum-wage law so enacted shall contain provisions for appeal to the courts on questions of law by persons aggrieved by the decisions of said agency. Said law shall also contain a provision to the effect that in no case shall wage orders or decrees entered under a previously existing law be nullified until the provisions of the law enacted in conformity herewith have become operative and until new wage orders covering the same occupations have been entered and made effective.

Appeals on questions of law.

SEC. 8. Each minimum-wage law enacted in conformity herewith shall contain a saving clause to the effect that if any provisions of such law or its application be held invalid, the remainder of the law and its application elsewhere shall not be affected thereby.

Laws to contain a saving clause.

SEC. 9. Mandatory fair-wage legislation now in effect in any of the signatory States, and such legislation in course of passage in any of such States as is in conformity with the provisions of this compact, is hereby declared to meet the minimum standards required by this compact.

Prevailing mandatory fair-wage legislation, etc.

SEC. 10. This compact as applied to minimum wage shall, when ratified by two or more States in accordance with the provisions of section 6 of title II, be in full force and effect in the States so ratifying the same.

Effective date.

In witness whereof the commissioners of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and of the Commonwealths of Massachusetts and Pennsylvania have signed this compact in a single original which shall be deposited in the archives of the Department of State of the United States of America at Washington, District of Columbia, and of which a duly certified copy shall be forwarded to the Governor of each of the signatory States.

Done at Concord, New Hampshire, this twenty-ninth day of May in the year of our Lord one thousand nine hundred and thirty-four.

(Signed by members of commissions and by delegates of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and the Commonwealths of Massachusetts and Pennsylvania.)

Approved, August 12, 1937.

## [CHAPTER 618]

### AN ACT

To authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land to the State in lieu thereof, and for other purposes.

August 14, 1937

[S. 1129]

[Public, No. 378]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to accept on behalf of the United States a deed of reconveyance from the State of Utah of all of section 2, township 12 south, range 19 east, Salt Lake meridian, Utah, when accompanied by evidence showing unencumbered title in said State, and in exchange therefor the Secretary of the Interior is hereby further authorized to patent to the State of Utah other vacant, unappropriated, and unreserved public land, whether mineral or nonmineral in character, of approximately equal value, to be

Utah.  
Exchange of land  
with, authorized.

Land reconveyed to become part of naval oil shale reserve.

used for the same purpose for which the lands so reconveyed were granted, and to be subject to the same conditions and limitations which applied to said reconveyed lands.

SEC. 2. That upon issuance of patent to the State for the land selected in exchange, the land reconveyed shall become a part of Naval Oil Shale Reserve Numbered 2, Utah Numbered 1, for the exclusive use or benefit of the United States Navy.

Approved, August 14, 1937.

[CHAPTER 619]

AN ACT

To provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes.

August 14, 1937  
[H. R. 114]  
[Public, No. 279]

Columbia River,  
Clark Fork.  
Cabinet Gorge  
power project, plans  
for developing au-  
thorized.

Appropriation au-  
thorized.  
Post, p. 764.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized: (a) To conduct surveys and investigations in order to determine the feasibility and economic usefulness of the development of a hydroelectric power project at the Cabinet Gorge site on the Clark Fork of the Columbia River (near the Montana-Idaho boundary line) for irrigation pumping or other uses; and (b), if such development is determined to be feasible and economically useful, to prepare cost estimates and designs for the construction of a dam at such site and such additional or incidental facilities as are necessary to carry out such development.

SEC. 2. There is hereby authorized to be appropriated, out of any money not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, August 14, 1937.

[CHAPTER 620]

AN ACT

To amend the Tariff Act of 1930 to exempt vessels arriving for the purpose of taking on ship's stores and certain sea stores from the requirement of formal entry.

August 14, 1937  
[H. R. 4543]  
[Public, No. 280]

Tariff Act of 1930,  
amendment.  
46 Stat. 712.  
19 U. S. C. § 1441 (4).  
Formal entry of  
vessels arriving to  
take on ship stores,  
etc., not required.

Effective date.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (4) of section 441, as amended (exempting certain vessels from the requirement of formal entry), of the Tariff Act of 1930 (U. S. C., 1934 ed., title 19, sec. 1441 (4)) is amended by striking out "or necessary sea stores" wherever appearing in such subsection and inserting in lieu thereof "sea stores, or ship's stores".

SEC. 2. The amendment made by this Act shall take effect on the day following the date of its enactment.

Approved, August 14, 1937.

[CHAPTER 621]

AN ACT

To authorize the transfer of a certain piece of land in Breckinridge County, Kentucky, to the Commonwealth of Kentucky.

August 14, 1937  
[H. R. 4705]  
[Public, No. 281]

Kentucky.  
Designated land in  
Breckinridge County  
conveyed to State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to convey to the Commonwealth of Kentucky for State road purposes, without expense to the United States, all

the right, title, and interest of the United States in and to a certain piece of land in Breckinridge County, Kentucky, described as follows:

Beginning at a stone, in the southeast corner of the United States reservation at Lock and Dam Numbered 45, Ohio River, which point is north twenty-three degrees eight minutes west thirty-seven feet from a point formerly marked by a stone in Minor's line (now line between L. D. Addison heirs and Burks heirs) at south edge of right-of-way of old road; thence running along the north side of the Stephensport-Cloverport Road south eighty-two degrees thirty-seven minutes west two hundred and fifty-five and one-tenth feet to a stone; thence north eighty-nine degrees forty-two minutes west fifty-four and eighty-five one-hundredths feet to a stake at the intersection of United States property line and the northern limits of right-of-way of proposed Stephensport-Cloverport highway; thence running thirty feet from and parallel with the center line of proposed right-of-way on one degree fifteen minutes curve three hundred and thirteen and ninety-six one-hundredths feet to a stake in the property line between the United States reservation and Pearl Burks; thence running with the said property line south eleven degrees eighteen minutes west thirteen and fifty-six one-hundredths feet to a stone, the point of beginning, containing approximately eight one-hundredths acre.

Such conveyance shall contain the express condition that if the Commonwealth of Kentucky shall at any time cease to use said land for road or highway purposes, or shall alienate or attempt to alienate such land, title thereto shall revert to the United States.

Approved, August 14, 1937.

Description.

Reversionary provision.

[CHAPTER 622]

AN ACT

Making further provision for the fisheries of Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act approved June 6, 1924, entitled "An Act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended, is further amended by inserting in said section at the end of the first proviso thereof another proviso to read as follows: "*Provided further*, That in the area embracing Bristol Bay and the arms and tributaries thereof, no person shall at any time fish for or take salmon with a stake net or set net, for commercial purposes, unless such person shall have theretofore continuously resided for the period of at least five years within a radius of thirty miles of the place where such net is staked or set."

Approved, August 14, 1937.

August 14, 1937

[H. R. 5860]

[Public, No. 282]

Alaska fisheries.  
43 Stat. 464; 44 Stat.  
753.  
48 U. S. C. § 222.

Bristol Bay.  
Taking of salmon  
with stake net, etc.,  
for commercial pur-  
poses, residence re-  
quirements.

[CHAPTER 623]

AN ACT

To provide for the establishment of a Coast Guard station in the vicinity of Fort Myers, Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized to establish a Coast Guard station in the vicinity of Fort Myers, Florida, at such point as the Commandant of the Coast Guard may recommend.

Approved, August 14, 1937.

August 14, 1937

[H. R. 6048]

[Public, No. 283]

Fort Myers, Fla.  
Establishment of  
Coast Guard station  
near, authorized.



## [CHAPTER 624]

## AN ACT

August 14, 1937

[H. R. 6295]

[Public, No. 284]

To dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments.

Executive departments, etc.  
Renewal of oath of office not required in certain cases.

R. S. § 1757.

5 U. S. C. § 16.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That civilian employees of the executive departments and independent establishments of the United States who, upon original appointment, have subscribed to the oath of office required by section 1757 of the Revised Statutes, shall not be required to renew the said oath because of any change in status so long as their services are continuous in the department or independent establishment in which employed, unless in the opinion of the head of the department or independent establishment the public interests require such renewal.

Approved, August 14, 1937.

## [CHAPTER 625]

## AN ACT

August 14, 1937

[H. R. 6976]

[Public, No. 285]

To provide for the establishment of a Coast Guard station on the coast of Alabama at or near Dauphin Island, Alabama.

Dauphin Island, Ala.  
Establishment of Coast Guard station authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the coast of Alabama, at or near Dauphin Island, Alabama.

Approved, August 14, 1937.

## [CHAPTER 626]

## AN ACT

August 14, 1937

[H. R. 7373]

[Public, No. 286]

To aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes.

Toll bridges on Federal-aid highways.  
Existing, becoming free of tolls prior to July 1, 1939; limited aid to, authorized.

Proviso.  
Payment forbidden, if not according to Government standards, etc.

Maximum allowance.

Use of, by State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the case of each and every State, or political subdivision or subdivisions thereof, which, prior to the date of approval of this Act, shall have constructed or acquired any toll bridges on the approved System of Federal-aid highways, and which has caused or shall, prior to July 1, 1939, cause, any such toll bridge, or toll bridges, to be made free, the Secretary of Agriculture shall be, and he is hereby, authorized to pay out of the Federal-aid road funds apportioned to such State not to exceed 50 per centum of such amount as may be approved by the Secretary of Agriculture as the reasonable value or construction cost of any such bridge whichever shall be least: *Provided,* That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required by the Secretary of Agriculture at the time such bridge was constructed, nor on account of any bridge the construction of which was completed prior to March 3, 1927: *And provided further,* That no such payment shall be made which will exceed 50 per centum of the reasonable value or cost of the labor and materials which were actually incorporated in the construction of such bridge, excluding all costs of rights-of-way, property damages, and financing costs, whichever, value or cost, shall be least, and any amount so paid on account of any such bridge shall be used by the highway department of such State for match-

ing unobligated Federal-aid road funds available to the State, for expenditure in the improvement of highways on the system of Federal-aid highways.

Approved, August 14, 1937.

[CHAPTER 627]

AN ACT

To amend the Act approved March 26, 1934.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved March 26, 1934, to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, be, and is hereby, amended by substitution of the date "July 1, 1933," for "July 15, 1933," as the date from which officers and employees of the United States in service in foreign countries may be reimbursed for losses sustained due to the appreciation of foreign currencies in their relation to the American dollar, and reimbursement of losses sustained for such additional period is authorized to be paid from any unexpended balance of funds appropriated for exchange relief remaining in the Treasury which are otherwise unencumbered.

Approved, August 14, 1937.

August 14, 1937

[H. R. 7512]

[Public, No. 287]

U. S. employees in foreign countries.  
48 Stat. 466.  
5 U. S. C. § 118c.  
Reimbursement to meet losses due to foreign currency appreciation.

[CHAPTER 628]

AN ACT

To amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Adjusted Compensation Payment Act, 1936, as amended, is hereby further amended by striking out the period at the end of the first sentence added by the Act approved June 26, 1936 (49 Stat. 1982), and inserting a colon and the following: "Provided, That the amount of any such payment (including any payment heretofore made) which, under the law of the State or country pursuant to which the estate of the deceased veteran would be distributed, would otherwise escheat to such State or country, shall escheat to the United States and shall be covered into the general fund of the Treasury."

Approved, August 14, 1937.

August 14, 1937

[H. R. 7741]

[Public, No. 288]

Adjusted Compensation Payment Act, 1936, amendment.  
49 Stat. 1982.  
38 U. S. C., Supp. II, § 686c.

Payments; escheat to United States, certain amounts which would otherwise escheat to State, etc.

[CHAPTER 629]

AN ACT

Creating the Owensboro Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Owensboro, Kentucky.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Owensboro Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns be, and is hereby,

August 14, 1937

[H. R. 7767]

[Public, No. 289]

Ohio River.  
Owensboro Bridge Commission may bridge, Owensboro, Ky.

Construction.  
34 Stat. 84.  
33 U. S. C. § 491.

Ferries; purchase,  
operation, etc.

Acquisition of real  
estate, etc.

Condemnation pro-  
ceedings.

Toll charges.

Bond issue.

Form, maturity, de-  
nominations, etc.

Repurchase, re-  
demption, etc.

Proviso.  
Refunding bonds,  
maturity.

Trust agreement,  
provisions.

authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at or near the city of Owensboro, Kentucky, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the Ohio River within fifteen miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Indiana and the Commonwealth of Kentucky as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this Act.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the ferry or ferries and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 per centum per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding twenty-five years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding one hundred and five and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof, which it may issue: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding thirty years from date of approval of this Act, as the Commission may determine. The Commission may enter into an agreement with any bond or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of

action of the bondholders as is customary in trust agreements respecting bonds of corporation. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers.

The bridge constructed under the authority of this Act shall be deemed to be an instrumentality for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6 per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith, when added to any other funds made available to the Commission for the use of said purposes. The cost of the bridge and approaches and approach highways, and ferry or ferries, shall be deemed to include interest during construction of the bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, right, plans, and works of and relating to the bridge, now owned by any person, firm or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons or <sup>1</sup> any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining,

Bridge deemed instrumentality for interstate commerce.

Tax exemption.

Bond sale, price limitation.

Financing costs, etc.

Surplus fund placed in sinking fund.

Temporary bond issue.

Tolls to be applied to operation, sinking fund, etc.

<sup>1</sup> So in original.

Record of expenditures and receipts.

Traffic classification.

Exemptions.

Commission not required to operate acquired ferry.

Ferry tolls, use of.

Record of expenditures and receipts.

Conveyance of Commission's interest after liquidation to Indiana, Kentucky, etc.

Maintenance as free bridge; provision, if either State does not accept.

repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or the Government of the United States or any State, county, or municipality in the United States while in the discharge of their duties or municipal police or fire departments when engaged in the proper work of any such department.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within Indiana to the State of Indiana or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the Indiana interests) and that part within Kentucky to the Commonwealth of Kentucky or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Kentucky interests), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Indiana interests and the Kentucky interests, as may be agreed upon; but if either the Indiana interests or the Kentucky interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both

the Indiana interests and the Kentucky interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine.

(a) Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of or supplemental to either thereof, the Secretary of Agriculture may extend Federal aid under such Acts, for the construction of said bridge, out of any moneys allocated to the State of Indiana with the consent of the Department of Highways of said State, and out of any moneys allocated to the Commonwealth of Kentucky with the consent of the Department of Highways of said State.

SEC. 8. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Owensboro Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of A. S. Griffin, James R. Wilson, Sam C. Coots, W. J. Hinchey, and E. G. Lindeman. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after the approval of this Act by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this Act. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per-diem compensation for their services of \$10 per day for each day actually spent in the business of the Commission, but the maximum compensation of the Chairman in any year shall not exceed \$2,500 and of each other member shall not exceed \$500. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorney, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such

Disposition of ferry.

Extension of Federal aid, under designated Acts.  
39 Stat. 355; 42 Stat. 212.  
23 U. S. C. §§ 1-25.

Owensboro Bridge Commission created; powers.

Membership of Commission.

Vacancies.

Bond.

Chairman and vice chairman; rules; quorum.

Commission to have no shares of interest, etc.; application of receipts.  
Compensation, allowance, etc.

Secretary, and other employees.

Dissolution of Commission.

compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Indiana interests and the Kentucky interests as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Owensboro, Kentucky, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Owensboro. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said Indiana interests and the other to said Kentucky interests.

Division of moneys in hand, etc.

Contracts with States for construction, operation, etc.

SEC. 10. Notwithstanding any of the provisions of this Act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Indiana and the Department of Highways of Kentucky, the city of Owensboro, Daviess County, Kentucky, or any county or municipality in the State of Indiana, whereby the Commission may receive financial aid in the construction of the bridge and approaches thereto, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of Indiana and the Department of Highways of Kentucky, whereby said highway departments or either of them may construct, operate, and maintain or participate with the Commission in the construction, operation, and maintenance of said bridge and approaches. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Ohio River at or near Owensboro, and to authorize the Commission to promote said object and purposes, with full power to contract either with the State Highway Commission of Indiana or the Department of Highways of Kentucky or both in relation to the construction, operation, and maintenance of said bridge and approaches.

Purpose declared.

Creation of other obligations, restriction on.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Enforcement of Act.

SEC. 12. All provisions of this Act may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of Indiana, the attorney general for the Commonwealth of Kentucky, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

Amendment, etc.

SEC. 13. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 14, 1937.

## [CHAPTER 630]

## AN ACT

To restore the per diem fee of \$4 for service of jurors in Federal courts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the twenty-third paragraph under the heading "MEDICAL AND HOSPITAL SERVICE" in the Department of Justice Appropriation Act, 1938, approved June 16, 1937, which continues for the fiscal year 1938 the reduction of jurors' fees from \$4 to \$3, is hereby repealed.

Approved, August 14, 1937.

August 14, 1937  
[H. R. 8007]  
[Public, No. 290]

United States  
courts.  
Jurors, per diem fee  
restored.  
Ante, p. 282.  
47 Stat. 413.

## [CHAPTER 631]

## AN ACT

To amend section 3528 of the Revised Statutes relating to the purchase of metal for minor coins of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3528 of the Revised Statutes, as amended (U. S. C., 1934 edition, title 31, sec. 340), is hereby further amended by striking out the figures "\$400,000" and inserting in lieu thereof the figures "\$600,000".

Approved, August 14, 1937.

August 14, 1937  
[H. R. 8025]  
[Public, No. 291]

Minor coin metal  
fund.  
Amount authorized  
increased.  
R. S. § 3528.  
31 U. S. C. § 340.

## [CHAPTER 632]

## AN ACT

To provide for a stenographic grade in the office of chief clerks and superintendents in the Railway Mail Service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the thirteenth paragraph of section 7 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925 (U. S. C., title 39, sec. 621), is amended to read as follows:

"Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent, four clerks may be promoted to grade 5 and eight clerks to grade 6, and in the office of chief clerk, one clerk may be promoted to grade 5 and two clerks to grade 6: *Provided*, That clerks assigned to the position of stenographer may be promoted successively to grade 2, and in division superintendents' offices not exceeding one stenographer may be promoted successively to grade 3: *And provided further*, That no employee shall be reduced in salary as a result of this Act."

Approved, August 14, 1937.

August 14, 1937  
[H. R. 6341]  
[Public, No. 292]

Postal Service.  
43 Stat. 1063.  
39 U. S. C. § 621.

Railway Mail Serv-  
ice.  
Promotion of clerks  
in offices of division  
superintendents, etc.

*Proviso*.  
Stenographer grade,  
promotion.

No salary reduction.

## [CHAPTER 633]

## JOINT RESOLUTION

To authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to accept on behalf of the United States the library and books bequeathed to the United States by the last will and testament of James Reuel Smith and to

August 14, 1937  
[H. J. Res. 446]  
[Pub. Res., No. 39]

James Reuel Smith.  
Acceptance of cer-  
tain bequests of, au-  
thorized.



deliver to the Secretary of Commerce, or such officer as he shall designate, said library and books for distribution among and for the use of the various lighthouse stations of the United States Lighthouse Service.

“Redemption of Liberty Bonds Issued in the Year 1918 from Bequest of James Reuel Smith.”  
Credit of funds to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to receive on behalf of the United States, for the purpose set forth in the last will and testament of James Reuel Smith, all moneys and other property bequeathed to the United States under the residuary clause of such will, and to deposit said moneys into the Treasury to the credit of a public debt account entitled “Redemption of Liberty Bonds Issued in the Year 1918 from Bequest of James Reuel Smith.” The Secretary of the Treasury is further authorized and directed to sell any real or personal property which may be received under the residuary clause of said will, the proceeds of such sales to be deposited in such public debt account. Such account shall be available until expended, for the redemption of Liberty bonds issued in the year 1918 and for no other purpose, and all payments made in the redemption of such bonds shall be made from such account, to the extent it is available, before any such payments are made out of other funds in the Treasury.

Sale of real and personal property; disposition of proceeds.

Restriction on use.

Approved, August 14, 1937.

[CHAPTER 648]

AN ACT

To authorize improvement of navigation facilities on the Columbia River, and for other purposes.

August 16, 1937  
[S. 607]  
[Public, No. 293]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause such alterations in existing bridges across the Columbia River at Cascade Locks and Hood River, Oregon, as will render navigation for ocean-going vessels in the pool formed by the Bonneville Dam reasonably free, easy, and unobstructed, and to reimburse the owners of said bridges for the actual cost of such alterations from appropriations heretofore or hereafter made for maintenance and improvement of rivers and harbors.

Columbia River.  
Improvement of navigation facilities, Cascade Locks and Hood River, Oreg., authorized.

Reimbursement of owners for costs of alterations.

Approved, August 16, 1937.

[CHAPTER 649]

AN ACT

To authorize the city of Pierre, South Dakota, to construct, equip, maintain, and operate on Farm Island, South Dakota, certain amusement and recreational facilities; to charge for the use thereof; and for other purposes.

August 16, 1937  
[S. 1047]  
[Public, No. 294]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 21, as amended, of the Act entitled “An Act to divide a portion of the reservation of the Sioux Nations of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes”, approved March 2, 1889, the city of Pierre, South Dakota, is authorized, for the purpose of maintaining, developing, and policing Farm Island, South Dakota, to construct, equip, maintain, and operate on such island dance pavilions, merry-go-rounds, ferris wheels, ball parks, and other amusement or recreational facilities, and to charge for admission thereto; to construct, equip, and maintain tourist cabins on such island and to charge for the occupancy

Pierre, S. Dak.  
Construction, operation, etc., amusement and recreational facilities, Farm Island, authorized.  
25 Stat. 896.

Tourist cabins.

thereof; to lease up to one hundred plats of land in such island of not more than two acres each for the erection thereon of private cottages; to require the registration of vehicles entering such island and to charge a fee therefor based upon a single entry or upon the privilege of entering such island for the period of a year; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to sell beer on such island in compliance with the laws of the State of South Dakota: *Provided*, That this authorization shall be effective only when the city of Pierre or the State legislature shall enact and maintain regulatory provisions of the kind set out in sections 2, 3, 4, and 5 of this Act, in modification of the conditions contained in the Act of March 2, 1889 (25 Stat. L. 888, 897), relating to the purposes for which the said Farm Island may be used; and that until such enactment is certified to the Secretary of the Interior, no part of this Act shall be in effect.

Registration of vehicles.

Girl Scout and Boy Scout encampments, ground lease.

*Proviso.*  
Authorization conditional.

25 Stat. 897.

SEC. 2. The carriage, sale, or gift on such island of any alcoholic beverages other than beer is hereby prohibited and such city is further authorized, for the purposes of detecting and preventing the carriage of such beverages, to provide for the reasonable inspection of persons and vehicles on such island.

Alcoholic beverages, other than beer; sale, etc., prohibited.

SEC. 3. All enterprises operated on Farm Island shall be owned and operated by the city of Pierre, and all funds derived from such charges, fees, leases, and sales shall be maintained by the city in a separate fund and shall be used exclusively for the purpose of maintaining, developing, and policing Farm Island.

Municipal ownership of enterprises.

SEC. 4. Farm Island is hereby designated a wild-game refuge. The carriage of firearms on such island by any person other than an official of such city, the State of South Dakota, or the United States, and the hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means or attempting to hunt, pursue, kill, or capture any wild animal or bird for any purpose whatever, within the limits of such island, shall be unlawful. However, it shall be lawful that shotguns may be taken onto the island by members of the Izaak Walton League, or any regularly organized local gun club for the purpose of participating in trapshooting and skeetshooting conducted by such Izaak Walton League or official gun club under such regulations as the city commission of Pierre might adopt.

Island designated a wild-game refuge.

Trapshooting and skeetshooting.

SEC. 5. Whoever violates any provision of this Act shall, upon conviction thereof, be fined not more than \$500 or imprisoned not more than six months, or both.

Penalty for violation.

Approved, August 16, 1937.

## [CHAPTER 650]

### AN ACT

Declaring Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, Louisiana, a nonnavigable stream.

August 16, 1937

[S. 2520]

[Public, No. 295]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, Louisiana, be, and the same is hereby, declared to be a nonnavigable waterway within the meaning of the Constitution and laws of the United States.

Bayou Savage. Declared nonnavigable, in New Orleans, La.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 16, 1937.

## [CHAPTER 651]

## AN ACT

August 16, 1937

[S. 1379]

[Public, No. 296]

Five Civilized  
Tribes of Indians.Suits filed in Court  
of Claims under Juris-  
dictional Acts.43 Stat. 27, 133, 139,  
537; 44 Stat. 568; 45  
Stat. 1229.Amendment of pe-  
titions to conform to  
evidence, etc.Jurisdiction con-  
ferred.Reinstatement of  
certain dismissed  
claims.

To authorize the Five Civilized Tribes, in suits heretofore filed under their original Jurisdictional Acts, to present claims to the United States Court of Claims by amended petitions to conform to the evidence; and to authorize said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original Jurisdictional Acts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in suits heretofore filed in the United States Court of Claims by the Five Civilized Tribes under their respective Jurisdictional Acts (Cherokee Nation, Act approved March 19, 1924, 43 Stat. 27; Seminole Nation, Act approved May 20, 1924, 43 Stat. 133; Creek Nation, Act approved May 24, 1924, 43 Stat. 139; Choctaw and Chickasaw Nations, Act approved June 7, 1924, 43 Stat. 537; as amended by joint resolutions approved May 19, 1926; 44 Stat. 568; and February 19, 1929, 45 Stat. 1229), plaintiffs therein shall have the right, prior to January 1, 1938, to amend their petitions to conform to any evidence heretofore filed in said suits, whether such amended petitions develop original claims or present new claims based upon said evidence; and jurisdiction be, and is hereby, conferred upon said Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which may have been presented by said Indian Nations in any amended petitions heretofore filed, or which may be filed under the terms of this Act; and claims so presented shall be adjudicated by said court upon their merits as though presented by petition filed within the time limited by said respective original Jurisdictional Acts, as amended; and any case presenting claims which may have been dismissed upon the ground that new claims were set up by amended petition, after the expiration of the time limitation fixed in said original Jurisdictional Acts, as amended, shall be reinstated and retried by said court on their merits.

Approved, August 16, 1937.

## [CHAPTER 652]

## AN ACT

August 16, 1937

[H. R. 2021]

[Public, No. 297]

Postal Service.  
Substitutes in  
motor-vehicle service,  
time credits allowed.43 Stat. 1065.  
39 U. S. C. § 104.

To provide time credits for substitutes in the motor-vehicle service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last paragraph of section 11 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (U. S. C., 1934 ed., title 39, sec. 104), is hereby amended by adding at the end thereof the following sentence: "Any fractional part of a year's substitute service, rendered after the enactment of this sentence, shall be included with his service as a regular clerk, garageman-driver, driver-mechanic, or general mechanic in the motor-vehicle service, in determining eligibility for promotion to the next higher grade following appointment to a regular position."

Approved, August 16, 1937.

[CHAPTER 653]

AN ACT

To extend the provisions of the forty-hour law for postal employees to watchmen and messengers in the Postal Service.

August 16, 1937  
[H. R. 2738]  
[Public, No. 298]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, is amended by striking out the words "and laborers" and inserting in lieu thereof the following: "laborers, watchmen, and messengers".

Postal Service.  
Shorter work week provisions extended to watchmen and messengers.  
49 Stat. 650.  
39 U. S. C., Supp. II, § 832.

Approved, August 16, 1937.

[CHAPTER 654]

AN ACT

To quiet title and possession with respect to certain lands in Tuscumbia, Alabama.

August 16, 1937  
[H. R. 3421]  
[Public, No. 299]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the right, title, and interest of the United States in and to all the unsubdivided land in and the strip of land known as the Commons surrounding the city of Tuscumbia, formerly Cold Water Spring, Alabama, as shown by plat made by John Coffee, surveyor, which plat shows the town as embracing the south half section 4, the southeast quarter section 5, the northeast quarter section 8, and the north half section 9, township 4 south, range 11 west, Huntsville meridian, which said town was established under sections 3 and 5 of the Act of March 3, 1817 (3 Stat. 375), and section 2 of the Act of April 20, 1818 (3 Stat. 467), be, and the same is hereby, released, relinquished, and confirmed by the United States to the city of Tuscumbia, Alabama, or to the owners of the equitable titles thereto, as fully and completely, in every respect whatever, as could be done by patents issued according to law: *Provided*, That this Act shall amount only to a relinquishment of any title the United States has, or is supposed to have, in and to any of said lands, and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this Act being to concede and abandon all right, title, and interest of the United States to the city of Tuscumbia or to those persons, estates, firms, or corporations who would be the equitable owners of said lands under the laws of the State of Alabama in the absence of the said interest, title, and estate of the United States: *Provided further*, That the title and rights hereby released and quitclaimed shall be subject to the right of the United States or any agency thereof to overflow the lands described herein as the result of projects for the improvement of navigation upon the Tennessee River.

Tuscumbia, Ala.  
Certain land relinquished to city or owners of equitable titles thereto.

3 Stat. 375, 467.

*Prorisos.*  
United States title only relinquished.

Rights reserved.

Approved, August 16, 1937.

[CHAPTER 655]

AN ACT

To provide for the conveyance by the United States to the county of Beaufort, South Carolina, of the Hunting Island Lighthouse Reservation.

August 16, 1937  
[H. R. 4642]  
[Public, No. 300]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, subject to the condition hereinafter specified, the Director of Procurement, subject to the approval of the Secretary of the Treasury, is authorized and directed to convey to the county of Beaufort, South Carolina, all

Hunting Island Lighthouse Reservation, S. C.  
Conveyance of, to Beaufort County, S. C., authorized.

Reversionary provision.

the right, title, and interest of the United States in and to the two parcels of land (together with all improvements thereon) constituting the Hunting Island Lighthouse Reservation, situated on the island known as Hunting Island, in the county of Beaufort, South Carolina. Such conveyance shall contain the express condition that if the county of Beaufort, South Carolina, shall at any time cease to use the property as a public park for public recreation or as a game sanctuary, or both, or shall alienate or attempt to alienate such property in any manner other than that authorized by section 1 of the joint resolution of the General Assembly of the State of South Carolina, approved June 2, 1936, authorizing the development of Hunting Island, title thereto shall revert to the United States.

Approved, August 16, 1937.

[CHAPTER 656]

AN ACT

Authorizing the Territory of Alaska to transfer a certain tract of land to Sitka Cold Storage Company, a corporation.

August 16, 1937

[H. R. 5859]

[Public, No. 301]

Sitka Cold Storage Company.  
Conveyance of certain land to, authorized.

48 Stat. 502.

Reservation of minerals, etc.

Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Territory of Alaska, through the Governor of Alaska, is hereby authorized to transfer and convey to the Sitka Cold Storage Company, a corporation organized and existing under the laws of the Territory of Alaska, that certain portion of the land granted to the Territory by the provisions of Public Law Numbered 134, Seventy-third Congress, approved March 27, 1934 (48 Stat. 502), entitled "An Act granting abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes", subject to the reservation of all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same contained in said Act of March 27, 1934, said portion of the land described in said Act of March 27, 1934, being described as follows, to wit:

Beginning at corner numbered 1, identical with corner numbered 1 United States Forest Service reserve, and also with corner numbered 4, United States reserve for public common, as shown on the plat of Sitka Townsite, Alaska, United States survey numbered 1474, tract A, from which point USRLM numbered 1, established in connection with the Sitka Townsite United States survey numbered 1474, marked by a cross "x" and "USRLM No. 1" chiseled on a large bedrock face in the Indian schoolyard, bears north eleven degrees two minutes east two hundred and ninety-three and eight-tenths feet distant, and the southeast corner of the Sitka Cold Storage Company building A bears north twenty-nine degrees thirty-five minutes west three and five-tenths feet, thence north 1 degree four minutes west four and two-tenths feet to corner numbered 2 on the west-side line of an unnamed street, called hereinafter "Waterfront Street", from which corner the southeast corner of said Sitka Cold Storage Company building A bears south exactly sixty degrees west one and five-tenths feet, thence north twenty-nine degrees thirty-five minutes west exactly ninety feet along the west-side line of said Waterfront Street and parallel to and one and five-tenths feet east therefrom the east end of said Sitka Cold Storage Company building A to corner numbered 3 from which corner the northeast corner of said building bears south exactly sixty degrees west one and five-tenths feet distant, thence north thirty-eight degrees fifty-one minutes west fifty and twenty-two one-hundredths feet along the west-side line of

said Waterfront Street to corner numbered 4, a point on the north-west boundary line of said United States survey numbered 1474, tract A, identical with the northwest boundary line of said United States reserve for public common and the northwest boundary line of said Pioneers Home tract; from which corner the northeast corner of the Harbor Store Building, same being property of the Sitka Cold Storage Company, bears south thirty-one degrees six minutes east sixteen and five-tenths feet distant, thence south exactly thirty-five degrees west thirty-six and fifty one-hundredths feet along and identical with said northwest boundary (13-14) line of said United States survey numbered 1474, tract A; northwest boundary (7-6) line United States reserve for public common and northwest boundary line Pioneers Home tract to corner numbered 5, meander corner, at line of mean high tide on east shore of Sitka Harbor identical with corner numbered 14, meander corner said United States survey numbered 1474, tract A, and corner numbered 6, meander corner, said United States reserve for public common, and with a meander corner of said Pioneers Home tract, thence with meanders, along the east shore of Sitka Harbor, identical with the meander line of said United States survey numbered 1474, tract A, of said United States reserve for public common and of said Pioneers Home tract, under the said Harbor Store Building and the Sitka Cold Storage Company building A, south thirty-seven degrees nineteen minutes east fifty-seven and nine one-hundredths feet, south twenty degrees twenty-three minutes west forty-three and forty-three one-hundredths feet, south eighty-two degrees fifty-six minutes west thirty-one and fifty-six one-hundredths feet, south seventy degrees seven minutes west exactly twenty-nine feet, south fifteen degrees fifty-one minutes east nineteen and thirty-seven one-hundredths feet, south two degrees fifty-one minutes east thirty-six and seventeen one-hundredths feet, south seventy-six degrees fifty-one minutes east fourteen and fifty-nine one-hundredths feet, to corner numbered 6, meander corner, identical with corner numbered 5, meander corner of said United States reserve for public common, and with corner numbered 5, meander corner, of said United States Forest Service reserve, and with corner of the said Pioneers Home tract; thence north exactly sixty degrees east one hundred and thirty-two and forty-four one-hundredths feet along the 5-1 boundary line of the said United States Forest Service reserve, identical with the 5-4 boundary line of the said United States reserve for public common, and a boundary of the said Pioneers Home tract, and parallel to, and three and five-tenths feet south of the south side of, the Sitka Cold Storage Company building A to corner numbered 1, the place of beginning, containing four-hundred-and-seventy-two one-thousandths acre.

Approved, August 16, 1937.

#### [CHAPTER 657]

#### AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

August 16, 1937

[H. R. 5969]

[Public, No. 362]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as approved July 1, 1898, and*

Bankruptcy Act of  
1898, amendment.  
30 Stat. 544.

Acts amendatory thereof and supplementary thereto be, and they are hereby, amended by adding thereto a new chapter, to be designated "chapter X", to be and read as follows:

## "CHAPTER X

### "ADDITIONAL JURISDICTION

Additional jurisdiction.

Compositions of indebtedness of taxing agencies, etc.

Agricultural improvement districts.

Sewer, paving, etc., districts.

Highway, etc., districts.

Public-school districts.

Port, navigation, etc., districts.

Municipalities.

*Proviso.*  
Separability provision.

"SEC. 81. This Act and proceedings thereunder are found and declared to be within the subject of bankruptcies and, in addition to the jurisdiction otherwise exercised, courts of bankruptcy shall exercise original jurisdiction as provided in this chapter for the composition of indebtedness of, or authorized by, any of the taxing agencies or instrumentalities hereinafter named, payable (a) out of assessments or taxes, or both, levied against and constituting liens upon property in any of said taxing agencies or instrumentalities, or (b) out of property acquired by foreclosure of any such assessments or taxes or both, or (c) out of income derived by such taxing agencies or instrumentalities from the sale of water or power or both, or (d) from any combination thereof; (1) Drainage, drainage and levee, levee, levee and drainage, reclamation, water, irrigation, or other similar districts, commonly designated as agricultural improvement districts or local improvement districts, organized or created for the purpose of constructing, improving, maintaining, and operating certain improvements or projects devoted chiefly to the improvement of lands therein for agricultural purposes; or (2) local improvement districts such as sewer, paving, sanitary, or other similar districts, organized or created for the purposes designated by their respective names; or (3) local improvement districts such as road, highway, or other similar districts, organized or created for the purpose of grading, paving, or otherwise improving public streets, roads, or highways; or (4) public-school districts or public-school authorities organized or created for the purpose of constructing, maintaining, and operating public schools or public-school facilities; or (5) local improvement districts such as port, navigation, or other similar districts, organized or created for the purpose of constructing, improving, maintaining, and operating ports and port facilities; or (6) any city, town, village, borough, township, or other municipality: *Provided, however,* That if any provision of this chapter, or the application thereof to any such taxing agency or district or class thereof or to any circumstance, is held invalid, the remainder of the chapter, or the application of such provision to any other or different taxing agency or district or class thereof or to any other or different circumstances, shall not be affected by such holding.

### "DEFINITION

Definitions.

"SEC. 82. The following terms as used in this chapter, unless a different meaning is plainly required by the context, shall be construed as follows:

"Petitioner."

"That the term 'petitioner' shall include any taxing agency or instrumentality referred to in section 81 of this chapter.

"Security."

"The term 'security' shall include bonds, notes, judgments, claims, and demands, liquidated or unliquidated, and other evidences of indebtedness, either secured or unsecured, and certificates of beneficial interest in property.

"Creditor."

"The term 'creditor' means the holder of a security or securities.

U. S. agency holding securities, etc., deemed a creditor.

"Any agency of the United States holding securities acquired pursuant to contract with any petitioner under this chapter shall be deemed a creditor in the amount of the full face value thereof.

"The term 'security affected by the plan' means a security as to which the rights of its holder are proposed to be adjusted or modified materially by the consummation of a composition agreement.

"The singular number includes the plural and the masculine gender the feminine.

#### "COMPOSITIONS

"SEC. 83. (a) Any petitioner may file a petition hereunder stating that the petitioner is insolvent or unable to meet its debts as they mature and that it desires to effect a plan for the composition of its debts. The petition shall be filed with the court in whose territorial jurisdiction the petitioner or the major part thereof is located, and, in the case of any unincorporated tax or special-assessment district having no officials of its own, the petition may be filed by its governing authority or the board or body having authority to levy taxes or assessments to meet the obligations to be affected by the plan of composition. The petition shall be accompanied by payment to the clerk of a filing fee of \$100, which shall be in lieu of the fees required to be collected by the clerk under other applicable chapters of the Uniform Bankruptcy Act of 1898, as amended. The petition shall state that a plan of composition has been prepared, is filed and submitted with the petition, and that creditors of the petitioner owning not less than 51 per centum in amount of the securities affected by the plan (excluding, however, any such securities owned, held, or controlled by the petitioner), have accepted it in writing. There shall be filed with the petition a list of all known creditors of the petitioner, together with their addresses so far as known to petitioner, and description of their respective securities showing separately those who have accepted the plan of composition, together with their separate addresses, the contents of which list shall not constitute admissions by the petitioner in a proceeding under this chapter or otherwise. Upon the filing of such a petition the judge shall enter an order either approving it as properly filed under this chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied.

"The 'plan of composition', within the meaning of this chapter, may include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through issuance of new securities of any character, or otherwise, and may contain such other provisions and agreements not inconsistent with this chapter as the parties may desire.

"No creditor shall be deemed to be affected by any plan of composition unless the same shall affect his interest materially, and in case any controversy shall arise as to whether any creditor or class of creditors shall or shall not be affected, the issue shall be determined by the judge, after hearing, upon notice to the parties interested.

"For all purposes of this chapter any creditor may act in person or by an attorney or a duly authorized agent or committee. Where any committee, organization, group, or individual shall assume to act for or on behalf of creditors, such committee, organization, group, or individual shall first file with the court in which the proceeding is pending a list of the creditors represented by such committee, organization, group, or individual, giving the name and address of each such creditor, together with a statement of the amount, class, and character of the security held by him, and attach thereto copies of the instrument or instruments in writing signed by the owners of the bonds showing their authority, and shall file with the list a copy of the contract or agreement entered into between such committee,

"Security, affected by the plan."

Number and gender.

Compositions.

Petition for composition of debts.

Filing fee.

Contents of petition; plan to accompany; acceptance by majority of creditors.

List of known creditors to be filed.

Court order approving or dismissing petition.

"Plan of composition", provisions.

Class of creditors affected.

Creditor may act in person or by agent, etc.

Group representation; requirements.



Compensation; approval by court.	organization, group, or individual and the creditors represented by it or them, which contract shall disclose all compensation to be received, directly or indirectly, by such committee, organization, group, or individual, which agreed compensation shall be subject to modification and approval by the court.
Procedure when petition approved.	“(b) Upon approving the petition as properly filed, or at any time thereafter, the judge shall enter an order fixing a time and place for a hearing on the petition, which shall be held within ninety days from the date of said order, and shall provide in the order that notice shall be given to creditors of the filing of the petition and its approval as being properly filed, and of the time and place for the hearing. The judge shall prescribe the form of the notice, which shall specify the manner in which claims and interests of creditors shall be filed or evidenced, on or before the date fixed for the hearing. The notice shall be published at least once a week for three successive weeks in at least one newspaper of general circulation published within the jurisdiction of the court, and in such other paper or papers having a general circulation among bond dealers and bondholders as may be designated by the court, and the judge may require that it may be published in such other publication as he may deem proper. The judge shall require that a copy of the notice be mailed, postage prepaid, to each creditor of the petitioner named in the petition at the address of such creditor given in the petition, or, if no address is given in the petition for any creditor and the address of such creditor cannot with reasonable diligence be ascertained, then a copy of the notice shall be mailed, postage prepaid, to such creditor addressed to him as the judge may prescribe. All expense of giving notice as herein provided shall be paid by the petitioner. The notice shall be first published, and the mailing of copies thereof shall be completed at least sixty days before the date fixed for the hearing.
Notice to creditors.	
Publication of notice; copy to each creditor.	
Answer by creditor controverting allegations; objections.	“At any time not less than ten days prior to the time fixed for the hearing, any creditor of the petitioner affected by the plan may file an answer to the petition controverting any of the material allegations therein and setting up any objection he may have to the plan of composition. The judge may continue the hearing from time to time if the percentage of creditors required herein for the confirmation of the plan shall not have accepted the plan in writing, or if for any reason satisfactory to the judge the hearing is not completed on the date fixed therefor. At the hearing, or a continuance thereof, the judge shall decide the issues presented and unless the material allegations of the petition are sustained, shall dismiss the proceeding. If, however, the material allegations of the petition are sustained, the judge shall classify the creditors according to the nature of their respective claims and interests: <i>Provided, however,</i> That the holders of all claims, regardless of the manner in which they are evidenced, which are payable without preference out of funds derived from the same source or sources shall be of one class. The holders of claims for the payment of which specific property or revenues are pledged, or which are otherwise given preference as provided by law, shall accordingly constitute a separate class or classes of creditors.
Extension of hearing.	
Decision on issues presented.	
Proviso. Payment of claim holders without preference.	
Preferential, etc., holders.	
Reference to special master for consideration.	“At the hearing, or a continuance thereof, the judge may refer any matters to a special master for consideration, the taking of testimony, and a report upon special issues, and may allow reasonable compensation for the services performed by such special master, and the actual and necessary expenses incurred in connection with the

proceeding, including compensation for services rendered and expenses incurred in obtaining the deposit of securities and the preparation of the plan, whether such work may have been done by the petitioner or by committees or other representatives of creditors, and may allow reasonable compensation for the attorneys or agents of any of the foregoing, and may apportion the amount so determined among the parties to the proceeding as may be just: *Provided, however,* That no fees, compensation, reimbursement, or other allowances for attorneys, agents, committees, or other representatives of creditors shall be assessed against the petitioner or paid from any revenues, property, or funds of the petitioner except in the manner and in such sums, if any, as may be provided for in the plan of composition. An appeal may be taken from any order making such determination or award to the United States Circuit Court of Appeals for the circuit in which the proceeding under this chapter is pending, independently of other appeals which may be taken in the proceeding, and such appeal shall be heard summarily.

"On thirty days' notice by any creditor to petitioner, the judge, if he finds that the proceeding has not been prosecuted with reasonable diligence, or that it is unlikely that the plan will be accepted by said proportion of creditors, may dismiss the proceeding.

"(c) Upon entry of the order fixing the time for the hearing, or at any time thereafter, the judge may upon notice enjoin or stay, pending the determination of the matter, the commencement or continuation of suits against the petitioner, or any officer or inhabitant thereof, on account of the securities affected by the plan, or to enforce any lien or to enforce the levy of taxes or assessments for the payment of obligations under any such securities, or any suit or process to levy upon or enforce against any property acquired by the petitioner through foreclosure of any such tax lien or special assessment lien, except where rights have become vested, and may enter an interlocutory decree providing that the plan shall be temporarily operative with respect to all securities affected thereby and that the payment of the principal or interest, or both, of such securities shall be temporarily postponed or extended or otherwise readjusted in the same manner and upon the same terms as if such plan had been finally confirmed and put into effect, and upon the entry of such decree the principal or interest, or both, of such securities which have otherwise become due, or which would otherwise become due, shall not be or become due or payable, and the payment of all such securities shall be postponed during the period in which such decree shall remain in force, but shall not, by any order or decree, in the proceeding or otherwise, interfere with (a) any of the political or governmental powers of the petitioner; or (b) any of the property or revenues of the petitioner necessary for essential governmental purposes; or (c) any income-producing property, unless the plan of composition so provides.

"(d) The plan of composition shall not be confirmed until it has been accepted in writing, by or on behalf of creditors holding at least two-thirds of the aggregate amount of claims of all classes affected by such plan and which have been admitted by the petitioner or allowed by the judge, but excluding claims owned, held, or controlled by the petitioner: *Provided, however,* That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan; or (b) if the plan makes provision for the payment of their claims in cash in full; or (c) if provision

*Proviso.*  
Assessment of fees,  
etc.

Appeals from orders.

Authority of judge.  
Dismissal of proceeding.

Stay of suits, etc.

Enforcement of  
assessments, etc.

Temporary operation of plan on securities affected.

Readjustment of securities.

Plan of composition.  
Acceptance by creditors before confirmation.

*Proviso.*  
Classes of creditors from whom acceptance not required.

is made in the plan for the protection of the interests, claims, or lien of such creditors or class of creditors.

Confirmation of  
plan, etc., by court.  
Findings required.

"(e) At the conclusion of the hearing, the judge shall make written findings of fact and his conclusions of law thereon, and shall enter an interlocutory decree confirming the plan if satisfied that (1) it is fair, equitable, and for the best interests of the creditors and does not discriminate unfairly in favor of any creditor or class of creditors; (2) complies with the provisions of this chapter; (3) has been accepted and approved as required by the provisions of subdivision (d) of this section; (4) all amounts to be paid by the petitioner for services or expenses incident to the composition have been fully disclosed and are reasonable; (5) the offer of the plan and its acceptance are in good faith; and (6) the petitioner is authorized by law to take all action necessary to be taken by it to carry out the plan. If not so satisfied, the judge shall enter an order dismissing the proceeding.

Changes and modi-  
fications allowed.

Rights and acts of  
creditor.

"Before a plan is confirmed, changes and modifications may be made therein, with the approval of the judge after hearing upon such notice to creditors as the judge may direct, subject to the right of any creditor who shall previously have accepted the plan to withdraw his acceptance, within a period to be fixed by the judge and after such notice as the judge may direct, if, in the opinion of the judge, the change or modification will be materially adverse to the interest of such creditor, and if any creditor having such right of withdrawal shall not withdraw within such period, he shall be deemed to have accepted the plan as changed or modified: *Provided, however,* That the plan as changed or modified shall comply with all the provisions of this chapter and shall have been accepted in writing by the petitioner. Either party may appeal from the interlocutory decree as in equity cases. In case said interlocutory decree shall prescribe a time within which any action is to be taken, the running of such time shall be suspended in case of an appeal until final determination thereof. In case said decree is affirmed, the judge may grant such time as he may deem proper for the taking of such action.

*Proviso.*  
Conformity with  
provisions of chapter.

Appeal.

Running of time  
suspended on appeal.

Confirmatory de-  
cree binding upon all  
creditors.

"(f) If an interlocutory decree confirming the plan is entered as herein provided, the plan and said decree of confirmation shall become and be binding upon all creditors affected by the plan, if within the time prescribed in the interlocutory decree, or such additional time as the judge may allow, the money, securities, or other consideration to be delivered to the creditors under the terms of the plan shall have been deposited with the court or such disbursing agent as the court may appoint or shall otherwise be made available for the creditors. And thereupon the court shall enter a final decree determining that the petitioner has made available for the creditors affected by the plan the consideration provided for therein and is discharged from all debts and liabilities dealt with in the plan except as provided therein, and that the plan is binding upon all creditors affected by it, whether secured or unsecured, and whether or not their claims have been filed or evidenced, and, if filed or evidenced, whether or not allowed, including creditors who have not, as well as those who have, accepted it.

Certified copy of  
decree or order as  
evidence of jurisdic-  
tion of court.

Order directing  
property transfer, ef-  
fect of.

"(g) A certified copy of the final decree, or of any other decree or order entered by the court or the judge thereof, in a proceeding under this chapter, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the decree or order was made. A certified copy of an order providing for the transfer of any property dealt with by the plan shall be evidence of the trans-

fer of title accordingly and, if recorded as conveyances are recorded, shall impart the same notice that a deed, if recorded, would impart.

“(h) This chapter shall not be construed as to modify or repeal any prior, existing statute relating to the refinancing or readjustment of indebtedness of municipalities, political subdivisions, or districts: *Provided, however,* That the initiation of proceedings or the filing of a petition under section 80 shall not constitute a bar to the same taxing agency or instrumentality initiating a new proceeding under section 81 thereof.

Provisions not to affect existing law, etc.

*Proviso.*  
Initiating, etc., proceedings; effect of.

“(i) Nothing contained in this chapter shall be construed to limit or impair the power of any State to control, by legislation or otherwise, any municipality or any political subdivision of or in such State in the exercise of its political or governmental powers, including expenditures therefor.

State control over political subdivisions not impaired.

#### “TERMINATION OF JURISDICTION

“SEC. 84. Jurisdiction conferred on any court by section 81 shall not be exercised by such court after June 30, 1940, except in respect of any proceeding initiated by filing a petition under section 83 (a) on or prior to June 30, 1940.”

Termination of jurisdiction.

Approved, August 16, 1937.

#### [CHAPTER 658]

#### AN ACT

Authorizing the Secretary of Commerce to accept title to a certain parcel of land at Gaithersburg, Maryland.

August 16, 1937

[H. R. 6145]

[Public, No. 303]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce is hereby authorized and empowered to accept, on behalf of the United States, title, by deed from the heirs at law of Ignatius T. and Elizabeth M. Fulks (pursuant to the leasehold interest created by a contract of April 1, 1899, between the said Ignatius T. and Elizabeth M. Fulks and the Superintendent of the United States Coast and Geodetic Survey), to the following-described property situated and lying in Gaithersburg, Montgomery County, Maryland, to wit: Beginning at a stone planted in the ground at the intersection of the lines of the lands of the said Ignatius T. Fulks, Vandelia Owen, and Philemon M. Smith, and running thence south forty-six degrees thirty minutes west three hundred feet; thence south forty-three degrees thirty minutes east two hundred and seventy feet; thence north forty-six degrees thirty minutes east four hundred and forty-four and six-tenths feet; thence north seventy-one degrees forty minutes west fifty-three and five-tenths feet to a stone; still north seventy-one degrees forty minutes west two hundred and fifty-two and eight-tenths feet to the place of beginning, containing two and three hundred and seven one-thousandths acres of land, more or less; together with all the improvements thereon, and the rights and appurtenances thereto belonging or appertaining, including the present right-of-way from the entrance of the property to the Frederick Road.

Gaithersburg, Md.  
Acceptance of title to certain land in, authorized.

Description.

Acquisition of the title to said property under this Act shall be without expense to the United States, except the expense of conveyancing and the expense of making an abstract of title to said property.

Restriction on expense.

Approved, August 16, 1937.

## [CHAPTER 659]

## AN ACT

August 16, 1937

[H. R. 6384]

[Public, No. 304]

To liberalize the provisions of existing laws governing service-connected benefits for World War veterans and their dependents, and for other purposes.

World War veterans.

Payment of compensation to widows and children of.

48 Stat. 1281; 49 Stat. 2031.

38 U. S. C. §§ 503-507; Supp. II, § 508.

Not denied if veteran was entitled to 20 per cent disability pay, etc.

Proviso.  
Condition.

Beginning of payments.

48 Stat. 1282.  
38 U. S. C. § 506.

Evidence and adjudication of claims.

Rates of death compensation.

Maximum compensation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of Public Law Numbered 484, Seventy-third Congress, June 28, 1934 (U. S. C., 1934 edition, title 38, secs. 503-507), as amended by section 1, Public Law Numbered 844, Seventy-fourth Congress, June 29, 1936 (U. S. C., title 38, sec. 508), in no event shall the widow, child, or children otherwise entitled to compensation under the provisions of that Act be denied such compensation if the veteran's death resulted from a disease or disability not service connected, and at the time of the veteran's death he was receiving or entitled to receive compensation, pension, or retirement pay for 20 per centum disability or more presumptively or directly incurred in or aggravated by service in the World War: *Provided*, That a widow shall not be entitled to compensation under this section unless a child was born of her marriage to the veteran: *Provided further*, That except as provided in section 6 of this Act, compensation authorized by this section shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration in such form as the Administrator of Veterans' Affairs may prescribe, but in no event shall compensation herein authorized be effective prior to the date of enactment of this Act.

SEC. 2. That section 4 of Public Law Numbered 484, Seventy-third Congress, June 28, 1934 (48 Stat. 1282; U. S. C., title 38, sec. 506), is hereby amended to read as follows:

"That for the purpose of awarding compensation under the provisions of this Act, as amended, service connection of disability and degree thereof at date of death may be determined in any case where claim has been or is filed by the widow, child, or children of a deceased World War veteran, except that proof of 20 per centum disability or more at date of death and evidence as to service connection must be filed no later than three years after date of enactment of this Act, or the date of death, whichever is the later, and evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the Administrator of Veterans' Affairs."

SEC. 3. That effective on the first day of the month next following the date of enactment of this Act, the rates of death compensation payable under the provisions of existing laws or veterans' regulations to a surviving widow, child, or children, and/or dependent mother or father now on the rolls or hereafter to be placed on the rolls as a surviving widow, child, or children, and/or dependent mother or father of any World War veteran who died as the result of injury or disease incurred in or aggravated by active military or naval service in the World War, shall be as follows:

Widow, age under fifty years, \$30; widow, age fifty to sixty-five years, \$37.50; widow, age sixty-five years or over, \$45; widow with one child, \$10 additional for such child up to ten years of age, increased to \$15 from age ten (with \$8 for each additional child up to ten years of age, increased to \$13 from age ten) (subject to apportionment regulations); no widow but one child, \$20; no widow but two children, \$33 (equally divided); no widow but three children, \$46 (equally divided); (with \$8 for each additional child; total amount to be equally divided); dependent mother or father, \$45 (or both) \$25 each. As to the widow, child, or children, the total compensation payable under this paragraph shall not exceed \$75. The

amount of the compensation herein authorized shall be paid in the event the monthly payment of compensation under Veterans' Regulation Numbered 1 (g) and the monthly payment of yearly renewable term, automatic, or United States Government life (converted) insurance does not aggregate or exceed the amount of compensation herein authorized.

As to the surviving widow, child, or children, and/or dependent mother or father on the rolls on the date of enactment of this Act, any increased award herein authorized shall be effective from the date of enactment of this Act and in all other cases, except as provided in section 6 of this Act, effective dates of awards shall be governed by the provisions of veterans' regulations promulgated under Public Law Numbered 2, Seventy-third Congress, March 20, 1933.

SEC. 4. That on and after the date of enactment of this Act, for the purpose of payment of compensation under the laws administered by the Veterans' Administration, the term "widow of a World War veteran" shall mean a woman—

(a) (1) Who was married to the person who served prior to or during the period of service on which the claim is based; or

(2) Who was married to the person who served prior to July 3, 1931; or

(3) Who was married to the person who served at any time, provided a child was born of such marriage.

(b) No compensation shall be paid to a widow unless there was continuous cohabitation with the person who served from the date of marriage to date of death, except where there was a separation which was due to the misconduct of or procured by the person who served, without the fault of the widow.

(c) All marriages shall be proven as valid marriages according to the law of the place where the parties resided at the time of marriage, or of the law of the place where the ceremony was performed at the time thereof, or the law of the place where the parties resided when the right to pension hereunder accrued.

(d) Compensation shall not be allowed a widow who has remarried either once or more than once, and where compensation is properly discontinued by reason of remarriage it shall not thereafter be recommenced.

SEC. 5. That notwithstanding any provision of law or veterans' regulation, except as to emergency officers' retirement pay, reenlistment in the military or naval service on or after November 12, 1918, and before July 2, 1921, where there was prior service between April 6, 1917, and November 11, 1918, shall be considered as World War service under the laws providing benefits for World War veterans and their dependents.

SEC. 6. That notwithstanding any provision of law or veterans' regulation, awards of death compensation shall be effective as of the date of death of the World War veteran if claim is filed within one year after the death of such veteran.

SEC. 7. That a new section is hereby added to title III, World War Veterans' Act, 1924, as amended (U. S. C., title 38), to be known as section 312, and to read as follows:

"SEC. 312. Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, shall be deemed total permanent disability for insurance purposes. This section shall be deemed to be in effect on and after April 6, 1917, and shall apply only to automatic insurance, yearly renewable term insurance, and United States Government life (converted) insurance issued prior to December 15, 1936."

Effective date of awards.

48 Stat. 8.

"Widow of a World War veteran" defined.

Marital, etc., requirements.

Validity of marriage to be proven.

Remarried widows.

World War service, period defined.

Effective date of death compensation awards.

43 Stat. 624.  
38 U. S. C. § 511.

Permanent disability; definition, application of term.

Disappearance of incompetent veteran receiving; payment to dependents.  
48 Stat. 524.

*Proviso.*  
Amount limited.

Penal and forfeiture provisions.  
48 Stat. 8, 1281; 49 Stat. 2031.

SEC. 8. That where an incompetent World War veteran, receiving disability compensation under title III of the Act of March 28, 1934 (Public Law Numbered 141, Seventy-third Congress), disappears, the Administrator of Veterans' Affairs, in his discretion, may pay to the dependents of such veteran the amount of compensation payable to dependents of deceased veterans who die from war service-connected disabilities: *Provided*, That in no event shall payment made under this Act in any claim exceed the amount of compensation payable at the time of the veteran's disappearance.

SEC. 9. The penal and forfeiture provisions relating to pensions and compensation contained in Public Law Numbered 2, Seventy-third Congress, shall be applicable to claims for compensation under Public Law Numbered 484, Seventy-third Congress, as amended by Public Law Numbered 844, Seventy-fourth Congress, and this Act.

Approved, August 16, 1937.

# [CHAPTER 660]

## AN ACT

August 16, 1937

[H. R. 6446]

[Public, No. 305]

To prohibit in the District of Columbia the operation of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle designed to receive or be operated by lawful coin of the United States of America, or a token provided by the person entitled to the coin contents of such receptacle in connection with the sale, use, or enjoyment of property or service by means of slugs, spurious coins, tricks, or devices not authorized by the person entitled to the coin contents thereof; and to prohibit in the District of Columbia the manufacture, sale, offering for sale, advertising for sale, distribution, or possession for such use of any token, slug, false or counterfeited coin, or any device or substance whatsoever except tokens authorized by the person entitled to the coin contents of such receptacle; and providing a penalty for violation thereof.

District of Columbia.

Use of fraudulent tokens, slugs, etc., in operating merchandise vending machines, etc.

Receiving merchandise, etc., a misdemeanor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person who shall operate or cause to be operated, or who shall attempt to operate or attempt to cause to be operated, in the District of Columbia any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, by means of a slug or any false token, counterfeited, mutilated, sweated or foreign coin, or by any means, method, trick, or device whatsoever not authorized by the person entitled to the coin contents of such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle; or any person who shall take, obtain, or receive from or in connection with any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section any goods, wares, merchandise, gas, electric current, or other article of value, or the use or enjoyment of any transportation or any telephone or telegraph facilities or service, or of any musical instrument, phonograph, or other property, in the District of Columbia, without depositing in and surrendering to such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section lawful coin of the United States of America to the amount required therefor by the person entitled to the coin contents of any such merchandise vending machine, turnstile, coin-box telephone or other legal receptacle, or tokens provided and to the amount required by the person entitled to the coin contents of such legal receptacle, shall be guilty of a misdemeanor, and upon

conviction thereof, shall be punished by a fine not exceeding \$500 or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court.

Punishment for.

SEC. 2. Any person who, with intent to cheat or defraud the owner, lessee, licensee, or other person entitled to the coin contents of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such legal receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, or any person who, knowing or having cause to believe that the same is intended for fraudulent or unlawful use on the part of the purchaser, donee, or user thereof, shall manufacture, sell, offer to sell, advertise for sale, give away, or possess, in the District of Columbia, any token, slug, false or counterfeit coin, or any device or substance whatsoever intended or calculated to be placed, deposited, or used in the operation of any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court.

Manufacturing, etc.,  
fraudulent tokens, etc.

Punishment for.

SEC. 3. The word "person", where used in this Act, shall be construed to include any individual, individuals, copartnerships, associations, groups, and corporations.

"Person" construed.

Approved, August 16, 1937.

#### [CHAPTER 661]

#### AN ACT

To authorize the Secretary of the Navy to proceed with the construction of certain public works in or in the vicinity of the District of Columbia, and for other purposes.

August 16, 1937

[H. R. 6547]

[Public, No. 306]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved February 25, 1931 (46 Stat. 1419), be and the same is hereby, amended so as to read as follows:

District of Colum-  
bia, public works.  
46 Stat. 1419.

"That the Secretary of the Navy is hereby authorized to construct in the District of Columbia, or in the immediate vicinity thereof, on land already acquired or hereby authorized to be acquired therefor by purchase, gift, or otherwise, buildings to replace the present Naval Hospital and Naval Medical School at Washington, District of Columbia, with the utilities, accessories, and appurtenances pertaining thereto, including facilities for the Naval Medical Center and Naval Dental School: *Provided*, That the advice of the National Capital Park and Planning Commission be requested before the acquisition of property for this purpose and before the construction herein authorized shall begin; if located in the District of Columbia, the construction herein authorized be subject to the approval of the National Park Service under authority of section 6 of the Public Buildings Act of May 25, 1926, as amended (U. S. C., title 40, sec. 346): *Provided further*, That the total cost of the land and of the construction hereby authorized shall not exceed \$4,850,000, of which not more than 15 per centum may be expended for the purchase of the site.

Naval Hospital,  
etc., replacement.

Naval Medical Center,  
etc., included.  
*Provided*,  
Advice of National  
Capital Park and  
Planning Commis-  
sion.

Approval by National  
Park Service.  
44 Stat. 634.  
40 U. S. C. § 346.  
Limit of cost;  
amount for site.

"SEC. 2. The Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to any land which may be acquired by gift."

Acceptance of land.

Approved, August 16, 1937.



[CHAPTER 662]

AN ACT

August 16, 1937

[H. R. 6851]

[Public, No. 307]

To provide for a referendum in the Territory of Alaska as to the establishment of a one-house legislature, and for other purposes.

Alaska unicameral legislature.  
Referendum as to establishment of, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That at the general election held in the Territory of Alaska, in the year 1938, for the election of a Delegate to Congress from Alaska, members of the Alaska Territorial Legislature, and such other officials of the Territory as may be by law then elective, each of the qualified electors of the Territory shall be afforded an opportunity to vote upon the question as to whether a one-house legislature shall be provided for the Territory of Alaska, such vote to be taken by furnishing to each of such electors a ballot, separate and apart from the ballot which embraces the names of the candidates for office to be voted upon at said election, having printed thereon the following:

Form of ballot.

"SPECIAL REFERENDUM BALLOT

"(Place an (X) in square before your preference.)

"(Vote for one only)

"☐ I favor a one-house legislature for Alaska.

"☐ I do NOT favor a one-house legislature for Alaska."

Preparation, etc., of ballots.

SEC. 2. Such ballots shall be prepared, printed, numbered, and distributed, so far as may be practicable, in the same form and manner as the ballots containing the names of candidates for office to be voted upon at said election; and the special referendum ballots so cast at said election shall be counted, tallied, canvassed, and returns thereon made in substantially the same manner as in the case of ballots containing the names of candidates.

Payment of expenses.

SEC. 3. The expense of preparing, printing, distributing, counting, tallying, and canvassing such special referendum ballots, and all other additional expenses incurred in said election by reason thereof, shall be paid in the same manner as the other costs and expenses of said election.

Approved, August 16, 1937.

[CHAPTER 663]

AN ACT

August 16, 1937

[H. R. 7274]

[Public, No. 308]

To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.

Labor standards for apprentices.  
Formulation and promotion of.

Encouraging inclusion of, in contracts.

Cooperation with State agencies, National Youth Administration, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Labor is hereby authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the National Youth Administration and with the Office of Education of the Department of the Interior in accordance with section 6 of the Act of February 23, 1917 (39 Stat. 932), as amended by Executive Order Numbered 6166, June 10, 1933, issued pursuant to an Act of June 30, 1932 (47 Stat. 414), as amended.

39 Stat. 932.

20 U. S. C. § 17.

47 Stat. 414.

SEC. 2. The Secretary of Labor may publish information relating to existing and proposed labor standards of apprenticeship, and may appoint national advisory committees to serve without compensation. Such committees shall include representatives of employers, representatives of labor, educators, and officers of other executive departments, with the consent of the head of any such department.

Publication of information.  
Appointment of advisory committees.

SEC. 3. On and after the effective date of this Act the National Youth Administration shall be relieved of direct responsibility for the promotion of labor standards of apprenticeship as heretofore conducted through the division of apprentice training and shall transfer all records and papers relating to such activities to the custody of the Department of Labor. The Secretary of Labor is authorized to appoint such employees as he may from time to time find necessary for the administration of this Act, with regard to existing laws applicable to the appointment and compensation of employees of the United States: *Provided, however*, That he may appoint persons now employed in division of apprentice training of the National Youth Administration upon certification by the Civil Service Commission of their qualifications after nonassembled examinations.

National Youth Administration relieved of responsibility for promoting standards; transfer of records.

Personal services.

*Proviso.*  
Employment of present personnel.

SEC. 4. This Act shall take effect on July 1, 1937, or as soon thereafter as it shall be approved.

Effective date.

Approved, August 16, 1937.

[CHAPTER 664]

AN ACT

To authorize the Secretary of Commerce to grant and convey to the State of Washington fee title to certain lands of the United States in Jefferson County, Washington, for highway purposes.

August 16, 1937  
[H. R. 7278]

[Public, No. 309]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Commerce is hereby authorized and directed to grant and convey to the State of Washington the fee title to the following strip of land, being a small portion of the Quilcene (Washington) Fisheries Station, certain property of the United States in Jefferson County, State of Washington, same being granted and conveyed to the State of Washington for State highway purposes:

State of Washington.  
Conveyance of certain lands to, authorized.

A strip of land containing thirty-six one-hundredths acre, more or less, in the southwest quarter southwest quarter southeast quarter section 22, township 27 north, range 2 west, Washington meridian, having widths as hereinafter set forth on each side of the following-described center line of a "road connection", to wit:

Description.

Commence at the south one-quarter corner of said section 22 and run easterly along the south line of said section 22 a distance of exactly seven hundred and two feet to an intersection with the center line of State Road Numbered 9 (Olympic Highway) as now located and of record in the office of the Director of Highways, Olympia, Washington; thence along said center line, north thirty-six degrees forty-three minutes east, seven hundred and forty-five and nine-tenths feet to the point of beginning of said "road connection"; thence south seventy-six degrees thirteen minutes west, along the center line of said "road connection", three hundred and forty-eight and one-tenth feet; thence on the arc of a curve to the left whose radius is exactly nine hundred and fifty-five feet, a distance of one hundred and fifty-eight feet, more or less, to an intersection with the easterly line of the southwest quarter southwest quarter south-

east quarter, said section 22, and the true point of beginning of strip of land being herein described :

Thence continuing on the arc of said curve to the left a distance of eighty-eight and four-tenths feet, more or less, having a width of fifty feet on each side of said center line; thence south sixty-one degrees twenty-six minutes west, twenty-three and four-tenths feet, having a width of fifty feet on each side of said center line; thence on the arc of a curve to the right whose radius is exactly one thousand one hundred and forty-six feet a distance of thirty-two and one-tenth feet, having a width of fifty feet on each side of said center line; thence continuing on the arc of said curve to the right a distance of one hundred and seventy-six and six-tenths feet, having a width of fifty feet on the northwesterly side and thirty feet on the southeasterly side of said center line; thence south seventy-one degrees fifty-two minutes west, sixty-one and eight-tenths feet, to an intersection with the existing road, having a width of fifty feet on the northwesterly side and thirty feet on the southeasterly side of said center line, excepting therefrom the right-of-way of existing road contained therein.

Also all that portion of the southwest quarter southwest quarter southeast quarter, said section 22, lying southeasterly of a line drawn parallel to and distant fifty feet northwesterly from the center line of said State Road Numbered 9, said tract of land being of triangular shape and existing in the extreme southeast corner of the above-described legal subdivision.

Approved, August 16, 1937.

[CHAPTER 665]

AN ACT

To provide more effectively for the marking of wrecked and sunken craft for the protection of navigation, to improve the efficiency of the Lighthouse Service, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4676 of the Revised Statutes, as amended, is hereby amended to read as follows:

“SEC. 4676. Whenever the owner of any sunken vessel, boat, watercraft, raft, or other similar obstruction existing on any river, lake, harbor, sound, bay, or canal or other navigable waters of the United States has failed to mark, or in the judgment of the Commissioner of Lighthouses has failed suitably to mark, the same in accordance with the provisions of section 15 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1152), the Commissioner of Lighthouses is authorized to suitably mark the same for the protection of navigation. Until such time as abandonment of any such obstruction has been established in accordance with the provisions of section 19 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1154), the owner thereof shall pay to the Commissioner of Lighthouses the cost of such marking. As soon as abandonment of any such obstruction has been so established, it shall be the duty of the Secretary of War to keep the same so marked pending removal thereof in accordance with the provisions of section 19 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1154), but the Commissioner of Lighthouses may at the request of the Department of War continue the suitable marking of any such obstruction for and on behalf of that Department. The cost of continuing any such marking shall be borne by the Department of War. All moneys received by the Commissioner of Lighthouses from the owners of obstructions, in accordance with the provisions of this section, shall

August 16, 1937

[H. R. 7402]

[Public, No. 310]

Lighthouse Service.

R. S. § 4676.

33 U. S. C. § 736.

Marking wrecked and sunken craft for protection of navigation.

30 Stat. 1152.

33 U. S. C. § 409.

Payment of cost by owner until abandonment.

30 Stat. 1154.

33 U. S. C. § 414.

Maintenance of warning after abandonment by War Department.

Continuance by Lighthouse Service if requested by War Department; cost.

Receipts covered in.

be covered into the Treasury of the United States as miscellaneous receipts. No provision of this section shall be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same in accordance with the provisions of section 15 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1152)."

SEC. 2. The Lighthouse Service is authorized, whenever an aid to navigation or other property belonging to that Service is damaged or destroyed by a private person, and such private person or his agent shall pay to the satisfaction of the proper official of the Lighthouse Service for the cost of repair or replacement of such property, to accept and deposit such payments, through proper officers of the Division of Disbursement, Treasury Department, in special deposit accounts in the Treasury, for payment therefrom to the person or persons repairing or replacing the damaged property and refundment of amounts collected in excess of the cost of the repairs or replacements concerned.

SEC. 3. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized in his discretion hereafter to establish and maintain aids to navigation to mark rivers, waterways, or channels, connected by navigable waters with the sea or the Great Lakes, which have been improved for navigation by the United States under proper authority, and appropriations made for the support of the Lighthouse Service are made available for the expenses of establishing and maintaining such aids to navigation.

SEC. 4. Section 4 of the Act of Congress approved June 17, 1910 (ch. 301, 36 Stat. 537; U. S. C., title 33, secs. 711, 721), is hereby amended to read as follows:

"SEC. 4. There shall be in the Department of Commerce a Bureau of Lighthouses and a Commissioner of Lighthouses, who shall be the head of said Bureau, to be appointed by the President. There shall also be in the Bureau a Deputy Commissioner, to be appointed by the President, and a Chief Clerk, who shall perform the duties of Chief Clerk and such other duties as may be assigned to him by the Secretary of Commerce or by the Commissioner. There shall also be in the Bureau such inspectors, clerical assistants, and other employees as may from time to time be authorized by Congress. The Commissioner of Lighthouses shall make an annual report to the Secretary of Commerce, who shall transmit the same to Congress at the beginning of each regular session thereof. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed the sum of \$500, occasioned by collisions, for which collisions vessels of the Lighthouse Service shall be found to be responsible, and report the amounts so ascertained and determined to be due to the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor."

SEC. 5. That so much of section 20 of the Act approved May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress), entitled "An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", as reads "to convey to the town of Southold, State of New York" is hereby amended to read "to convey to the Southold Park District in the town of Southold, State of New York".

SEC. 6. The Secretary of Commerce is authorized to convey to the State of Florida for public-roadway purposes an additional portion of the Crooked River Range Lighthouse Reservation, Florida, thirty-

Obligation of owner not waived.

30 Stat. 1152.  
33 U. S. C. § 409.

Damage to aids to navigation; payment of repair cost, etc.

Establishment, etc., of aids to mark rivers, waterways, or channels.

36 Stat. 537.  
33 U. S. C. §§ 711, 721.

Bureau of Lighthouses, etc.  
Establishment, organization, etc.

Annual report.

Damage claims, adjustment, etc.

Horton Point, N. Y., lighthouse reservation.  
Portion of, conveyed to Southold Park District, Southold, N. Y.  
49 Stat. 308.

Crooked River Range, Fla.  
Additional strip for roadway conveyed to State.

49 Stat. 305.

four feet in width and approximately five hundred feet in length adjoining the strip of land conveyed pursuant to section 4 of the Act approved May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress), to provide for a roadway one hundred feet in width across the reservation. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of the Act of May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress).

Approved, August 16, 1937.

## [CHAPTER 666]

## JOINT RESOLUTION

August 16, 1937  
[H. J. Res. 284]  
[Pub. Res., No. 60]

Authorizing the President of the United States of America to proclaim the 13th day of April of each year Thomas Jefferson's Birthday.

Thomas Jefferson's  
Birthday.  
President author-  
ized to proclaim April  
13 of each year as.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States of America is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on April 13 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the birth of Thomas Jefferson.

Approved, August 16, 1937.

## [CHAPTER 667]

## JOINT RESOLUTION

August 16, 1937  
[H. J. Res. 288]  
[Pub. Res., No. 61]

To permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, New York, to be admitted without payment of tariff, and for other purposes.

New York World's  
Fair 1939.  
Dutiable articles im-  
ported for exhibition,  
etc., admitted free,  
under regulations.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at New York City, New York, beginning in April 1939 by the New York World's Fair 1939, Incorporated, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during and/or within three months after the close of the said exposition, to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not

Sales permitted.

*Proviso.*  
Duty on articles  
withdrawn.

Deterioration allow-  
ance.

Marking require-  
ments.

sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the New York World's Fair 1939, Incorporated, shall be deemed, for customs purposes only to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by the New York World's Fair 1939, Incorporated, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Approved, August 16, 1937.

Abandoned articles.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Reimbursement of incurred Federal expenses.

Deposit of receipts as refunds.  
46 Stat. 741.  
19 U. S. C. § 1524.

## [CHAPTER 687]

### AN ACT

To provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes.

August 17, 1937

[H. R. 7022]

[Public, No. 311]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when title to all the lands, except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior within the area of approximately one hundred square miles on the islands of Chicamaconico, Ocracoke, Bodie, Roanoke, and Collington, and the waters and the lands beneath the waters adjacent thereto shall have been vested in the United States, said area shall be, and is hereby, established, dedicated, and set apart as a national seashore for the benefit and enjoyment of the people and shall be known as the Cape Hatteras National Seashore: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

Cape Hatteras National Seashore, N. C. Establishment; area, location, etc.

*Proviso.*  
Donation of lands.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national seashore as determined and fixed hereunder and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national seashore as may be necessary for the completion thereof.

Acceptance of donations, etc.

*Proviso.*  
Acquisition of land.  
25 Stat. 357.  
40 U. S. C. § 257.

Administration, etc.,  
by National Park  
Service.  
39 Stat. 535.  
16 U. S. C. § 1.

*Provisos.*  
Jurisdiction of other  
agencies not divested.

Federal Water Pow-  
er Act not applicable.  
41 Stat. 1063.  
16 U. S. C. § 791.  
Rights of village  
residents.

Permanent reser-  
vation as a wilderness.

*Proviso.*  
Minimum area.

Reversionary provi-  
sion.

Migratory bird re-  
fuge continued.

SEC. 3. The administration, protection, and development of the aforesaid national seashore shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That except as hereinafter provided nothing herein shall be construed to divest the jurisdiction of other agencies of the Government now exercised over Federal-owned lands within the area of the said Cape Hatteras National Seashore: *Provided further*, That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this national seashore: *And provided further*, That the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act.

SEC. 4. Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing, and other recreational activities of similar nature, which shall be developed for such uses as needed, the said area shall be permanently reserved as a primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in this area: *Provided*, That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within ten years from the passage of this Act, the establishment of the aforesaid national seashore may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore. The lands donated to the United States for the purposes of this Act by parties other than said State shall revert in the event of the aforesaid abandonment to the donors, or their heirs, or other persons entitled thereto by law.

In the event of said abandonment, the Secretary of the Interior shall execute any suitable quitclaim deeds, or other writings entitled to record in the proper counties of North Carolina stating the fact of abandonment, whereupon title shall revert to those entitled thereto by law and no further conveyance or proof of reversion of title shall be required.

SEC. 5. Notwithstanding any other provisions of this Act, lands and waters now or hereafter included in any migratory bird refuge under the jurisdiction of the Secretary of Agriculture, within the boundaries of the national seashore as designated by the Secretary of the Interior under section 1 hereof, shall continue as such refuge under the jurisdiction of the Secretary of Agriculture for the protection of migratory birds, but such lands and waters shall be a part of the aforesaid national seashore and shall be administered by the National Park Service for recreational uses not inconsistent with the purposes of such refuge under such rules and regulations as the Secretaries of

the Interior and Agriculture may jointly approve. The proviso to section 1 of this Act shall not limit the power of the Secretary of Agriculture to acquire lands for any migratory bird refuge by purchase with any funds made available therefor by applicable law.

Additions to references.

Approved, August 17, 1937.

[CHAPTER 688]

AN ACT

To provide for the transfer of Scotland County to the middle judicial district of North Carolina.

August 17, 1937

[H. R. 7092]

[Public, No. 312]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 98 of the Judicial Code, as amended (U. S. C., 1934 edition, Supp. II, title 28, sec. 179), is amended to read as follows:

Judicial Code, amendment.  
28 U. S. C., Supp. II, § 179.

"The State of North Carolina is divided into three districts to be known as the eastern, the middle, and the western districts of North Carolina.

North Carolina judicial districts.

"The eastern district shall include the territory embraced on the 1st day of January 1926 in the counties of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Robeson, Sampson, Tyrrell, Vance, Wake, Washington, Warren, Wayne, and Wilson.

Eastern district.

"The terms of the District Court for the eastern District of North Carolina shall be held at Raleigh, a one-week civil term, on the second Mondays in September and March, and at the following places on each succeeding Monday thereafter: Fayetteville, Elizabeth City, Washington, New Bern, Wilson, Wilmington, and Raleigh, the term at Raleigh being a criminal term only. The clerk of the court for the eastern district shall maintain an office in charge of himself or deputy at Raleigh, at Wilmington, at New Bern, at Elizabeth City, at Washington, at Fayetteville, and at Wilson which shall be kept open at all times for the transaction of the business of the court.

Terms of court.

"The middle district shall include the territory embraced on the 1st day of January 1926 in the counties of Alamance, Alleghany, Ashe, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsyth, Guilford, Lee, Hoke, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Surry, Watauga, Wilkes, and Yadkin.

Middle district.

"The terms of the district court for the middle district shall be held at Rockingham on the first Mondays in March and September, at Salisbury on the third Mondays in April and October, at Winston-Salem on the first Mondays in May and November, at Greensboro on the first Mondays in June and December, at Wilkesboro on the third Mondays in May and November; and at Durham on the first Monday in February and the fourth Monday in September: *Provided*, That the cities of Winston-Salem, Rockingham, and Durham shall each provide and furnish at its own expense a suitable and convenient place for holding the district court until Federal buildings containing quarters for the court are erected at such places.

Terms of court.

*Proviso.*  
Court accommodations.

"The western district shall include the territory embraced on the 1st day of January 1926 in the counties of Alexander, Anson, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland,

Western district.



Gaston, Graham, Haywood, Henderson, Iredell, Jackson, Lincoln, Madison, Macon, McDowell, Mecklenburg, Mitchell, Polk, Rutherford, Swain, Transylvania, Union, and Yancey.

Terms of court.

“Terms of the district court for the western district shall be held in Charlotte on the first Mondays in April and October, at Shelby on the fourth Monday in September and the third Monday in March, at Statesville on the fourth Mondays in April and October, at Asheville on the second Mondays in May and November, and at Bryson City on the fourth Mondays in May and November: *Provided*, That the cities of Shelby and Bryson City shall each provide and furnish at their own expense suitable and convenient places for holding the court at Shelby and Bryson City. The clerk of the court for the western district shall maintain an office, in charge of himself or a deputy, at Charlotte, at Asheville, at Statesville, at Shelby, and at Bryson City, which shall be kept open at all times for the transaction of the business of the court.

*Proriso.*  
Court accommodations.

Clerk’s offices.

Judge, etc., for middle district, appointment.

“There shall be a judge appointed for the said middle district in the manner now provided by law who shall receive the salary provided by law for the judges of the eastern and western districts, and a district attorney, marshal, clerk, and other officers in the manner and at the salary now provided by law.

Pending causes, etc.

“All causes in the said middle district in equity, bankruptcy, or admiralty, in which orders and decrees have already been made and which are now in process of trial, shall continue and remain subject to the jurisdiction of the judge of that district by whom the same shall have been made and before whom the same shall have been partially tried and determined.”

Approved, August 17, 1937.

[CHAPTER 689]

AN ACT

August 17, 1937  
[H. R. 6045]  
[Public, No. 313]

Authorizing and directing the Secretary of Commerce to transfer to the Government of Puerto Rico a portion of land within the Catano Range Rear Lighthouse Reservation, Puerto Rico, and for other purposes.

Puerto Rico.  
Land within Catano Range Rear Lighthouse Reservation transferred to, for roadway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the Government of Puerto Rico for roadway purposes a portion of land within the Catano Range Rear Lighthouse Reservation, Puerto Rico, as shown on the drawing numbered 2309 filed in the Department of Commerce, Washington, District of Columbia, described more particularly as follows:

Description.

From a point lettered A, Ninth Lighthouse District Drawing numbered 2309, which is the initial point of the metes and bounds of Lighthouse Reservation at Catano Range Rear Light as per survey dated October 27, 1904, this point being located north eighty-nine degrees sixteen minutes west fifty-six and thirty one-hundredths feet from center of original wooden tower now removed and south eighty-five degrees fifty-two minutes west and fifty-seven and ninety one-hundredths feet from center of present steel rear range tower, thence by metes and bounds as follows: south sixty-two degrees five minutes east one hundred feet along south boundary of Lighthouse Reservation to a point lettered B; thence north twenty-seven degrees fifty-five minutes east eighteen feet along east boundary of said reservation to a point lettered C; thence north sixty-two degrees five minutes west fifty-nine and ninety-three one-hundredths feet to a point lettered D; thence north thirty-one degrees fifteen minutes west seventeen and sixty-eight one-hundredths feet to a point lettered E;

thence north twenty-six degrees nine minutes west thirty and thirty-one one-hundredths feet to a point lettered F on west boundary of said reservation; thence along this boundary south twenty-seven degrees fifty-five minutes west forty-five feet to point of beginning; enclosing an area of two hundred and forty-nine and fifty one-hundredths square yards.

All bearings given are true, calculated from magnetic bearings from survey of October 27, 1904, corrected by one degree forty-six minutes west variation.

SEC. 2. The deed of conveyance shall contain a provision that should the Government of Puerto Rico cease to use the property for the purpose for which it is conveyed, title thereto shall revert to the United States.

Reversionary provision.

Approved, August 17, 1937.

[CHAPTER 690]

AN ACT

To provide additional revenue for the District of Columbia, and for other purposes.

August 17, 1937

[H. R. 7472]

[Public, No. 314]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act divided into titles and sections may be cited as the District of Columbia Revenue Act of 1937.

District of Columbia Revenue Act of 1937.

TITLE I—COLLECTION OF PERSONAL PROPERTY TAXES

Title I—Collection of personal property taxes.

SEC. 1. The assessor of the District of Columbia, or any person designated by him, for the purpose of ascertaining the correctness of any return of personal property, tangible or intangible, for taxation or for the purpose of making a return where none has been made, is authorized to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return and may summon any person to appear before him and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return and to give testimony or answer interrogatories under oath respecting the same, and the assessor, or assistant assessor, shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person, having been personally summoned, shall neglect or refuse to obey the summons issued as herein provided, then in that event the assessor, or any assistant assessor, may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpoenas of that court.

Returns.

Matters to be included; examinations, testimony, etc.

SEC. 2. If any person liable to pay any personal property tax to the District of Columbia neglects or refuses to pay the same within ten days after notice and demand, it shall be lawful for the collector of taxes for the District of Columbia, or any person designated by him, to collect the said taxes, with interest and penalties thereon, by distraint and sale in the manner hereinafter provided, of the goods, chattels, or effects, including stocks, securities, bank accounts, evidences of debt, and credits of the person delinquent as aforesaid. In case of such neglect or refusal of the person delinquent as aforesaid the collector, or the person designated by him, may levy upon all such property and rights to such property belonging to such person

Neglect or refusal to pay, collection by distraint, etc.

Levy; public notice of intended sale.

Public sale of property.

Report of, to be made.

Disposition of surplus above taxes, etc.

Surrender of distrained property to collector unless subject to an attachment, etc.

Liability for failure.

Exhibition of evidence or statements.

Penalty for violation.

Certificates of delinquent personal tax; filing; force of.

Enforcement.

for the payment of the sum due with interest and penalties thereon and the costs that may accrue and the collector of taxes shall immediately proceed to advertise the same by public notice to be posted in the office of said collector and by advertisement three times in one week in one or more daily newspapers in said District, stating the time when and the place where such property shall be sold, the last publication to be at least six days before the date of sale and if the said taxes, with interest and penalties thereon, and the costs and expenses which shall have accrued thereon, shall not be paid before the date fixed for such sale, which shall not be less than ten days after said levy or taking of said property, the collector shall proceed to sell at public auction such property or interest therein or so much thereof as may be needed to pay such taxes, interest, penalties, and accrued costs and expenses of such distraint and sale. Said collector shall report in detail in writing every distraint and sale of personal property to the Commissioners of the District of Columbia, and his accounts in respect of every such distraint or sale shall forthwith be submitted to the auditor of the District of Columbia and shall be audited by him. Any surplus resulting from such sale over and above such taxes, interest, penalties, costs, and expenses shall be paid into the Treasury of the United States to the credit of the District of Columbia, and upon being claimed by the owner or owners of the property aforesaid shall be paid to him or them by the accounting officers of said District upon the certificate of the collector of taxes stating in full the amount of such excess.

SEC. 3. Any person in possession of property or rights to property subject to distraint upon which a levy has been made shall, upon demand by the collector, or the person designated by him, surrender such property or rights to such collector or the person designated by him, unless such property or right is at the time of such demand subject to an attachment or execution under any judicial process.

SEC. 4. Any person who fails or refuses so to surrender any of such property or rights shall be liable in his own person and estate to the District of Columbia in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of the taxes including interest and penalties for the collection of which such levy has been made, together with costs and interest thereon, from the date of such levy.

SEC. 5. All persons and officers of companies and corporations are required, on demand of the collector, or the person designated by him, about to distraint or having distrained on any property or rights of property, to exhibit all books containing evidence or statements relating to the subject of distraint or the property or rights of property liable to distraint for the tax due. A violation of this section shall be punished by a fine of not exceeding \$500 or by imprisonment not exceeding thirty days, or both, in a prosecution filed in the police court of the District of Columbia by the corporation counsel of the District in the name of the District of Columbia.

SEC. 6. In case of the neglect or refusal of any person to pay a personal-property tax within ten days after notice and demand, the collector of taxes, or the person designated by him, may file a certificate of such delinquent personal tax with the clerk of the District Court of the United States for the District of Columbia, which certificate from the date of its filing shall have the force and effect, as against the delinquent person named in such certificate, of the lien created by a judgment granted by said court, which lien shall remain in force and effect until the taxes set forth in said certificate, with interest and penalties thereon, shall be paid and said lien may be enforced by a bill in equity filed in said court.

SEC. 7. When a recovery is had in any suit or proceeding against the collector of taxes, or any person designated by him, under this Act for a wrongful distraint or any other act done by him or for the recovery of any money exacted by or paid to him and by him paid into the Treasury of the United States in the performance of his official duty and the court certifies that there was probable cause for the act done by the collector or the person designated by him or that he acted under the directions of the Commissioners of the District of Columbia, no execution shall issue thereon, but the amount so recovered shall, upon final judgment, be paid by the District of Columbia in the same manner as judgments against the said District are paid.

Wrongful distraints,  
recoveries.

SEC. 8. The taxes to which this title relates shall be assessed within four years after such taxes became due and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of five years after such taxes became due. In the case of a false or fraudulent return with intent to evade tax, or of a failure to file a return within the time required by law, the tax may be assessed or a proceeding in court for the collection of such tax may be begun without assessment, at any time. Where the assessment of any tax to which this title relates has been made within such statutory period of limitation, such tax may be collected by distraint or by a proceeding in court only if begun within six years after the assessment of the tax.

Time provisions.

False, etc., return to  
evade; delinquency,  
etc.

SEC. 9. The remedies provided by this title for the collection of personal-property taxes are in addition to any other remedies available for the collection of said taxes.

Remedies herein  
provided deemed  
additional.

## TITLE II—TAXES ON INSURANCE COMPANIES

Title II—Taxes on  
insurance companies.

SEC. 1. On and after the 1st day of September 1937, every domestic, foreign, or alien company organized as a stock, mutual, reciprocal, Lloyd's, fraternal, or any other type of insurance company or association, before issuing contracts of insurance against loss of life or health, or by fire, marine, accident, casualty, fidelity and surety, title guaranty, or other hazard not contrary to public policy, shall obtain from the superintendent of insurance of the District of Columbia an annual license or certificate of authority, upon payment of a fee of \$25 to the collector of taxes of the District of Columbia. All licenses for insurance companies who may apply for permission to do business in the District of Columbia shall date from the first of the month in which application is made, and expire on the 30th day of April following, and payment shall be made in proportion.

Licenses.

Fee.  
Beginning and expi-  
ration.

SEC. 2. Any such company issuing contracts of insurance in the District of Columbia, without first having obtained license or certificate of authority from the superintendent of insurance so to do, shall upon conviction be subject to a fine of \$100 per day for each day it shall engage in business without such license or certificate of authority.

Penalty clause.

SEC. 3. All prosecutions for violations of this title shall be in the police court of the District of Columbia by the corporation counsel of the District of Columbia or any of his assistants.

Prosecutions in po-  
lice court.

SEC. 4. Each of such companies shall file an annual statement, in the form prescribed by the superintendent of insurance, before March 1 of each year, of its operations for the year ending December 31 immediately preceding. Such statement shall be verified by the oath of the president and secretary or in their absence by two other principal officers. The fee for filing said statement shall be \$20 and payment therefor shall be made to the collector of taxes of the District of Columbia.

Annual statements  
required.

Filing fee.

Revocation of license if statement not filed.

SEC. 5. If any such company shall fail to file the annual statement herein required, the superintendent of insurance may thereupon revoke its license or certificate of authority to transact business in the District of Columbia.

Tax rate on insurance companies.

SEC. 6. All such companies shall also pay to the collector of taxes of the District of Columbia a sum of money as taxes equal to 2 per centum of its policy and membership fees and net premium receipts on all insurance contracts on risks in the District of Columbia, said taxes to be paid before the 1st day of March of each year on the amount of income for the year ending December 31 next preceding. Such tax shall be in lieu of all other taxes except (1) taxes upon real estate, and (2) fees and charges provided for by the insurance laws of the District including amendments made to such laws by this title.

In lieu of other taxes; exceptions.

"Net premium receipts" defined.

"Net premium receipts" means gross premiums received less the sum of the following:

1. Premiums returned on policies canceled or not taken;
2. Premiums paid for reinsurance where the same are paid to companies duly licensed to do business in the District; and
3. Dividends paid in cash or used by policyholders in payment of renewal premiums.

Marine insurance excluded.

Nothing contained in this section or in sections 1 or 7 of this title shall apply with respect to marine insurance written within the said District and reported, taxed, and licensed under the provisions of the Act entitled "An Act to regulate marine insurance in the District of Columbia, and for other purposes", approved March 4, 1922, as amended.

42 Stat. 401.

Penalty for failure to pay.

SEC. 7. If any such company shall fail to pay the tax herein required, it shall be liable to the District of Columbia for the amount thereof, and in addition thereof a penalty of 8 per centum per month thereafter until paid.

Nonprofit relief associations, exemption.

SEC. 8. Nothing contained in this title shall apply to any relief association, not conducted for profit, composed solely of officers and enlisted men of the United States Army or Navy, or solely of employees of any other branch of the United States Government service or solely of employees of the District of Columbia government, or solely of employees of any individual, company, firm, or corporation or to any fraternal organization which issues contracts of insurance exclusively to its own members.

Conflicting laws repealed.

SEC. 9. Any Act or part of any Act insofar as it is inconsistent with the provisions of this title is hereby repealed.

Title III—Motor vehicle fuel tax Act, amendment.

### TITLE III—AMENDMENT TO MOTOR VEHICLE FUEL TAX ACT

43 Stat. 106.

SEC. 1. Section 1 of the Act of Congress entitled "An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, be, and the same hereby is, amended to read as follows:

Tax on sales, etc., by importers.

"That a tax of 2 cents per gallon on all motor-vehicle fuels within the District of Columbia, sold or otherwise disposed of by an importer, or used by him in a motor vehicle operated for hire or for commercial purposes, shall be levied, collected, and paid in the manner hereinafter provided.

Use of proceeds.

"All proceeds of the taxes imposed under this Act, except as otherwise provided in section 10 hereof, and all moneys collected from fees charged for the registration and titling of motor vehicles including fees charged for the issuance of permits to operate motor vehicles, shall be deposited in a special account in the Treasury of the United

States entirely to the credit of the District of Columbia, and shall be appropriated and used solely and exclusively for the following purposes:

"(1) For the construction, reconstruction, improvement, and maintenance of public highways, including the necessary administrative expenses in connection therewith;

"(2) For the expenses of the office of the director of vehicles and traffic incident to the regulation and control of traffic and the administration of the same; and

"(3) For the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways: *Provided, however*, That the total amount to be expended under this item shall not exceed 15 per centum of the total amount appropriated for pay and allowances of officers and members of the Metropolitan Police force. For the fiscal year 1938 all moneys appropriated for the construction, reconstruction, improvement, and maintenance of highways and administrative expenses in connection therewith, all moneys appropriated for the department of vehicles and traffic, and 15 per centum of all moneys appropriated for pay and allowances of officers and members of the Metropolitan Police force shall be paid from and chargeable against the fund hereby created."

SEC. 2. (A) Subsection (c) of section 2 of said Act is hereby amended to read as follows:

"(c) The term 'importer' means any person who brings into, or who produces, refines, manufactures, or compounds, in the District of Columbia motor-vehicle fuel to be used by him or to be sold, kept for sale, bartered, delivered for value, or exchanged for goods. The term 'distributor' means any person other than an importer, who purchases motor-vehicle fuel for sale to another person for resale."

(B) Section 2 of said Act is further amended by adding the following subsections:

"(f) The term 'highways' includes the right-of-way of streets, avenues, and roads, bridges, viaducts, underpasses, drainage structures, guard rails, signs, signals, and protective structures in connection with highways.

"(g) The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction of a highway, including the acquisition of the necessary rights-of-way.

"(h) The term 'reconstruction' means a widening or a rebuilding of the highway or any portion thereof and of sufficient width and strength to care adequately for traffic needs, including all expenses incidental to the reconstruction of a highway and the acquisition of the necessary rights-of-way.

"(i) The term 'maintenance' means the constant making of needed repairs to preserve the highway."

SEC. 3. Section 3 of said Act is hereby amended to read as follows:

"SEC. 3 (a) No person shall bring into, or produce, refine, manufacture, or compound in the District of Columbia motor-vehicle fuel to be used by him or to be sold, bartered, delivered for value, or exchanged for goods, and no person shall engage in the business of importer of motor-vehicle fuels in the District of Columbia unless such person is the holder of an unrevoked license authorizing him so to do issued by the Commissioners. The application for such license shall contain (1) the name of the applicant; (2) the name under which the applicant intends to transact business and the name and place of business of the local representative; (3) the location of the applicant's place of business; (4) the date such business was established; and (5) any other information required under regulations promulgated by the Commissioners of the District of Columbia.

Highway, etc., construction.

Traffic bureau, expenses.

Expenses of police control, etc.  
*Proviso.* Expenditure limited.

Amount for fiscal year 1938.

43 Stat. 107.

Terms defined.  
"Importer."

"Distributor."

"Highways."

"Construction."

"Reconstruction."

"Maintenance."

License.

Application for; contents.

Where applicant is a corporation.

Requirements.

Annual fee; bond, etc.

Proviso.  
Amount.

Issuance of license on compliance.

Revocation on failure, etc.

Payment of delinquent taxes, etc., before obtaining new license.

Invoices to purchasers, except of retail sales.

Contents.

Records of purchases, etc., subject to official inspection.

In case the applicant is a corporation, the application shall also contain the corporate name, place, and time of incorporation, and the names of the officers and directors, and, if a foreign corporation, the name of its resident general agent, and in case the applicant is a partnership the names and addresses of the several persons constituting the partnership. Such application shall be signed and sworn to by the owner of such business, if owned by an individual; by the partners, if owned by a partnership; or by the president and secretary of the corporation, or by its manager or resident general agent, if owned by a corporation. At the time of applying for such license the applicant shall pay to the collector of taxes as an annual license fee the sum of \$5 and shall file with the Commissioners of the District of Columbia a bond in the form to be prescribed by said Commissioners, in the approximate sum of three times the average monthly motor-fuel tax due from said such importer during the next preceding twelve months, or estimated to be so due in the next succeeding twelve months, to be executed by a surety company duly licensed to do business under the laws of the District of Columbia, payable to the District of Columbia and conditioned upon the prompt payment of any and all taxes and penalties, levied and imposed in sections 1 and 3 of this Act, to the collector of taxes of the District of Columbia, and generally upon faithful compliance with the terms of this Act by such importer: *Provided*, That in no case shall such bond be less than \$5,000 nor more than \$20,000.

“(b) Upon filing such application and bond and the payment of the fee, the assessor shall issue to such applicant a license which shall authorize the applicant to engage in the business of importer of motor-vehicle fuels for one year unless such license is sooner revoked.

“(c) If any importer fails, refuses, or neglects to file the monthly report within the time required by section 4, or to pay the tax within the time required by section 6, there shall be added to such tax an amount equal to the sum of 20 per centum of the amount of such tax, and the assessor shall promptly notify the importer and the bonding company by notice sent by registered mail to such importer requiring him to show cause why the license should not be revoked. If in the opinion of the assessor the importer fails within ten days after the mailing of such notice to show that failure to file the monthly report or to pay the tax as the case may be within the time required was due to accident or justifiable oversight, the assessor shall forthwith revoke such license. Any importer whose license has been revoked shall not be issued another license for twelve months following the date of said revocation.

“(d) Before any person whose license has been revoked may obtain another license to engage in the business of importer of motor-vehicle fuels, such person shall pay all delinquent taxes and penalties due hereunder remaining unpaid by him.”

SEC. 4. Section 5 of said Act is hereby amended to read as follows:

“SEC. 5. That invoices shall be rendered by importers and distributors to all purchasers from them of motor-vehicle fuel within the District of Columbia except in case of retail sales. Said invoices shall contain a statement, printed thereon in a conspicuous place, that the liability to the District of Columbia for the tax herein imposed has been assumed by a licensed importer named in said statement and that the importer has paid the tax or will pay it on or before the last day of the calendar month next succeeding the purchase.”

SEC. 5. Section 7 of said Act is hereby amended to read as follows:

“SEC. 7. That the records of all purchases, receipts, sales, other dispositions, and uses of motor-vehicle fuel of every importer, distributor,

or dealer shall, at all times during the business hours of the day, be subject to inspection by the assessor and the collector of taxes of the District of Columbia, or by their duly authorized agents, or by any other agent duly authorized by the Commissioners to make such inspection."

SEC. 6. Section 8 of said Act is hereby amended to read as follows:

"SEC. 8. That it shall be unlawful for any person to accept or receive from any importer or distributor, except in cases of retail sales, any motor-vehicle fuel unless the statement provided for in section 5 of this Act appears upon the invoice for the fuel. If any such motor-vehicle fuel is received and accepted by any person upon the invoice of which said statement does not appear, such person shall pay to the collector of taxes the tax herein imposed."

Acceptance of fuel without required statement on invoice unlawful; exception.

SEC. 7. Section 11 of said Act is hereby amended by striking out subsection (b) thereof and amending subsection (a) to read as follows:

"SEC. 11. That any person violating any provision of sections 3 to 6, inclusive, or section 8, or refusing or obstructing inspection under section 7, or falsely making any statement or report required by this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment for not more than one year, or by both such fine and imprisonment."

Violations, obstructions; penalty provisions.

SEC. 8. This title shall take effect thirty days after the passage and approval of this Act.

Effective date of title.

#### TITLE IV—REGISTRATION FEES FOR MOTOR VEHICLES

SEC. 1. As used in this title—

(a) The term "motor vehicle" means any vehicle propelled by an internal-combustion engine or by electricity or steam, except road rollers, farm tractors, and vehicles propelled only upon stationary rails or tracks.

(b) The term "person" means an individual, partnership, corporation, or association.

(c) The term "owner" means a person who holds the legal title to a motor vehicle or trailer the registration of which is required in the District of Columbia. If a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the condition stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of these regulations.

(d) The term "director" means the director of vehicles and traffic of the District of Columbia, including assistants or agents duly designated by the Commissioners.

(e) The term "dealer" means any person engaged in the business of manufacturing, distributing, or dealing in motor vehicles.

(f) The term "public highway" means any road, street, alley, or way, open to use of the public, as a matter of right, for purposes of vehicular traffic.

(g) The term "trailer" means a vehicle without motor power intended or used for carrying property or persons and drawn or intended to be drawn by a motor vehicle, whether such vehicle without motor power carries the weight of the property or persons wholly on its own structure or whether a part of such weight rests upon or is carried by a motor vehicle.

Title IV—Registration fees for motor vehicles. Terms defined.

"Motor vehicle."

"Person."

"Owner."

Conditional vendee or lessee.

Mortgagor entitled to possession.

"Director."

"Dealer."

"Public highway."

"Trailer."



"Farm tractor."

(h) The term "farm tractor" means a motor vehicle designed and used primarily for drawing implements of agricultural husbandry.

"Pneumatic tire."

(i) The term "pneumatic tire" means a tire inflated with compressed air.

#### REGISTRATION

Registration requirements.

Nonresidents excepted.  
43 Stat. 1123.

Registration certificates and identification tags.

SEC. 2. (a) No motor vehicle shall be operated and no trailer operated or moved on the public highways of the District of Columbia (except motor vehicles or trailers operated by nonresidents, exempted under the provisions of section 8 of the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 245a), and motor vehicles covered by a dealer's registration as provided in subsection (b) (1) of this section) unless registered in the department of vehicles and traffic of the District of Columbia by the owner thereof. Upon receipt of an application from the owner of a motor vehicle and (except in the case of a motor vehicle covered by subsection (b) (2) of this section) payment of a registration fee computed as provided in section 3, and if there is in force with respect to such motor vehicle a valid certificate of title issued under the District of Columbia Traffic Act, 1925, as amended, the director shall issue to such owner a registration certificate and identification tags for such motor vehicle.

(b) The Commissioners of the District of Columbia by regulation shall provide for the issuance by the director—

Dealers; fee.

(1) Annually to any dealer in motor vehicles, upon payment of the fee prescribed in section 3, of a registration certificate and identification tags bearing a distinguishing dealer's mark, for interchangeable use on motor vehicles in accordance with regulations promulgated by the Commissioners;

Vehicles, Government owned or in official use of foreign government representative.

(2) Annually, without charge, of certificates of registration and identification tags for all motor vehicles owned by the United States or by the District of Columbia, or officially used by any duly accredited representative of a foreign government; and

Duplicates; issue, fee.

(3) Of duplicate registration certificates or duplicate identification tags, upon proof satisfactory to the director of loss, mutilation, or destruction thereof, upon payment of a fee of \$1 for each set of duplicate tags or 50 cents for each duplicate registration certificate.

Expiration date of registrations; exceptions.

Advance registration.

(c) All registrations made under this title shall expire at midnight on the last day of the calendar year for which the registrations were made unless the time be extended by the Commissioners. During the last two months of any calendar year registrations may be made for the next ensuing calendar year, and from December 16 to 31, both inclusive, it shall be lawful to operate a motor vehicle registered for the next ensuing year.

Transfer provisions.

(d) Upon the sale or other transfer to another owner of any motor vehicle registered under this title, the registration thereof shall expire. The owner selling or otherwise transferring such vehicle may register another motor vehicle for the unexpired portion of the current year upon payment of a fee of \$1 and a sum equal to the difference between the registration fee originally paid and the fee computed for such other motor vehicle under section 3, in case the latter is the greater.

Regulations to be prescribed.

(e) The Commissioners of the District of Columbia are authorized to prescribe such regulations as may be necessary to carry out the provisions of this title and shall prescribe such form of application for registration, such form of registration certificate, such design of

identification tags, and provide for the keeping of such records of registration and transfers of registration as will facilitate the identification and the regulation of motor vehicles operated in the District of Columbia.

#### REGISTRATION FEES

SEC. 3. (a) There shall be levied, collected, and paid for each calendar year for each motor vehicle operated in the District of Columbia and for each trailer operated or moved in the District of Columbia required to be registered hereunder, the registration fees provided in this section.

(b) CLASS A. For each gasoline-propelled passenger vehicle, including passenger vehicles licensed under paragraph 31 (b) or paragraph 31 (d) of section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, as amended by the Act of Congress approved July 1, 1932—

(1) When equipped with pneumatic tires, the manufacturer's shipping weight of which is not more than three thousand five hundred pounds, \$5; more than three thousand five hundred pounds and not more than four thousand five hundred pounds, \$8; over four thousand five hundred pounds, \$12.

(2) When equipped with other than pneumatic tires, double the above fees.

CLASS B. For each gasoline-propelled truck, tractor, trailer, and passenger-carrying vehicle for hire having a seating capacity of eight passengers or more in addition to the driver or operator, with the exception of passenger vehicles licensed under paragraph 31 (b) of section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, amended by the Act of Congress approved July 1, 1932—

(1) When equipped with pneumatic tires, the manufacturer's shipping weight of the chassis, plus the weight of the cab and body, is not more than two thousand pounds, \$15; more than two thousand pounds and not more than four thousand pounds, \$20; more than four thousand pounds and not more than six thousand pounds, \$35; more than six thousand pounds and not more than eight thousand pounds, \$50; more than eight thousand pounds and not more than ten thousand pounds, \$65; more than ten thousand pounds and not more than twelve thousand pounds, \$75; more than twelve thousand pounds and not more than sixteen thousand pounds, \$100; over sixteen thousand pounds, \$150.

(2) When equipped with other than pneumatic tires, with the exception of trailers, double the above fees.

CLASS C. For each motorcycle, motor bicycle, motor tricycle, and motor wheel, \$5.

CLASS D. Motor vehicles not propelled by gasoline, double the fees for similar vehicles propelled by gasoline.

CLASS E. For dealers' identification tags, first three sets of tags, \$25, and \$5 for each additional set.

(c) When application for registration of any motor vehicle is received by the director on or after August 1, the registration fee for such vehicle for the current year shall be one-half the amount provided for the class in which such vehicle falls.

(d) All proceeds from fees payable under this title and all moneys collected from the motor-vehicle fuel tax, and fees charged for the titling of motor vehicles, including fees charged for the issuance of permits to operate motor vehicles, shall be deposited in a special account in the Treasury of the United States entirely to the credit

Registration fees,  
classes designated.

Class A.  
47 Stat. 555.

Class B.

Class C.

Class D.

Class E.

Registration on or  
after August 1, fee.

Proceeds from fees,  
collections, etc., to  
constitute special  
account.

Uses designated.

Highways, construction, etc.

Traffic control expenses.

Police control, etc.

*Proviso.*  
Limitation on amount.

Designated appropriations for 1938 payable from special fund hereby created.

of the District of Columbia and shall be appropriated and used solely and exclusively for the following purposes:

(1) For construction, reconstruction, improvement, and maintenance of public highways, including the necessary administrative expenses in connection therewith;

(2) For the expenses of the office of the director of vehicles and traffic incident to the regulation and control of traffic and the administration of the same; and

(3) For the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways: *Provided, however,* That the total amount to be expended under this item shall not exceed 15 per centum of the total amount appropriated for pay and allowances of officers and members of the Metropolitan Police force.

For the fiscal year 1938 all moneys appropriated for the construction, reconstruction, improvement, and maintenance of highways and administrative expenses in connection therewith, all moneys appropriated for the department of vehicles and traffic, and 15 per centum of all moneys appropriated for pay and allowances for officers and members of the Metropolitan Police force shall be paid from and chargeable against the fund hereby created.

Unlawful acts.

#### UNLAWFUL ACTS

SEC. 4. (a) It shall be unlawful—

Operating motor vehicle, etc., not registered; exceptions.

43 Stat. 1123.

Without identification tags.

Without possession of registration certificate.

Owner permitting unlawful acts.

Use of false name, etc.

Penalty provisions.

Prosecutions in police court.

Provisions not affected.

Power of Commissioners to make rules, etc.

46 Stat. 1424.

(1) For any person to operate any motor vehicle or trailer upon any public highway of the District of Columbia (except motor vehicles or trailers operated by nonresidents exempted under the provisions of section 8 of the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 245a)) (A) if such motor vehicle or trailer is not registered as required by this title, (B) if such motor vehicle or trailer does not have attached thereto and displayed thereon the identification tags required therefor, or (C) if such person does not have in his possession or in the motor vehicle or trailer operated the certificate of registration required therefor.

(2) For the owner of any motor vehicle knowingly to permit the operation thereof contrary to any provision of paragraph (1).

(3) To use a false or fictitious name or address in any application for registration or any renewal or duplicate thereof, or knowingly to make any false statement or conceal any material fact in any such application.

(b) Any person violating any provision of this title or the regulations made or promulgated under the authority hereof shall upon conviction thereof be subject to a fine of not more than \$300 or imprisonment of not more than thirty days, or both such fine and imprisonment. All such prosecutions shall be in the police court of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

#### PROVISIONS NOT AFFECTED

SEC. 5. (a) Nothing in this title shall be construed to affect the power of the Commissioners of the District of Columbia, under the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 243; Public, Numbered 742, Seventy-first Congress), to make rules and regulations, not inconsistent with the provisions of this title, with respect to the registration of motor vehicles.

(b) Nothing in this title shall be construed to relieve any person from the payment of any license tax under section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, as amended (D. C. Code, title 20, secs. 897, 881, 882).

Existing provisions not affected.  
32 Stat. 622.

#### REPEALS

SEC. 6. Sections 12 and 13 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels, sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended (D. C. Code, title 20, secs. 842, 843), are repealed.

Registration fees, etc.  
Provisions repealed.  
43 Stat. 108.

#### EFFECTIVE DATE

SEC. 7. This title shall take effect on January 1 of the first calendar year following the enactment thereof, except that the Commissioners of the District of Columbia are authorized to provide for the registration of motor vehicles under this title for such calendar year, beginning with the 1st day of November preceding such effective date.

Effective date of title.

### TITLE V—INHERITANCE AND ESTATE TAXES

Taxes shall be imposed upon estates of decedents and upon the shares of beneficiaries of such estates as hereinafter provided:

Title V—Inheritance and estate taxes.

#### ARTICLE I—INHERITANCE TAX

Inheritance tax.

SEC. 1. (a) All real property and tangible and intangible personal property, or any interest therein, having its taxable situs in the District of Columbia, transferred from any person who may die seized or possessed thereof, either by will or by law, or by right of survivorship, and all such property, or interest therein, transferred by deed, grant, bargain, gift, or sale (except in cases of a bona fide purchase for full consideration in money or money's worth), made or intended to take effect in possession or enjoyment after the death of the decedent, or made in contemplation of death, to or for the use of, in trust or otherwise (including property of which the decedent has retained for his life or for any period not ascertainable without reference to his death or for any period which does not in fact end before his death (1) the possession or enjoyment of, or the right to the income from such property or (2) the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom), the father, mother, husband, wife, children by blood or legally adopted children, or any other lineal descendants or lineal ancestors of the decedent, shall be subject to a tax of 1 per centum on so much of the clear value of such property so transferred to each such beneficiary as is in excess of \$5,000.

Application of.  
Transfers to children, etc., in excess of \$5,000.

(b) So much of said property as is in excess of \$2,000, so transferred to each of the brothers, sisters, nephews, and nieces of the whole or half blood of the decedent shall be subject to a tax of 3 per centum thereof.

Transfers to brothers, etc., in excess of \$2,000.

(c) So much of said property as is in excess of \$1,000, so transferred to each of the grandnephews and grandnieces of the decedent and all persons other than those included in paragraphs (a) and (b) of this section, and all firms, institutions, associations, and corporations, shall be subject to a tax of 5 per centum thereof.

Over \$1,000 to any not included in first two classes.

(d) Executors, administrators, trustees, and other persons making distribution shall only be discharged from liability for the amount of such tax, with the payment of which they are charged, by paying the same as hereinafter described.

Discharge of liability for payment.

Property transferred exclusively for public, etc., purposes.

Beneficiary dying within six months after testator's death and before possession, etc.

Application of title.

Transfers within two years prior to death.

Consolidation of property and interests.

Tax based on market value; appraisal.

Appraisal deemed true value.

Tax imposed to be a lien on property.

Report by decedent's personal representative.

Contents.

Payment of taxes.

(e) Property transferred exclusively for public or municipal purposes, to the United States or the District of Columbia, or exclusively for charitable, educational, or religious purposes within the District of Columbia, shall be exempt from any and all taxation under the provisions of this section.

(f) Where any beneficiary has died or may hereafter die within six months after the death of the decedent and before coming into the possession and enjoyment of any property passing to him, and before selling, assigning, transferring, or in any manner contracting with respect to his interest in such property, such property shall be taxed only once, and if the tax on the property so passing to said beneficiary has not been paid, then the tax shall be assessed on the property received from such share by each beneficiary thereof, finally entitled to the possession and enjoyment thereof, as if he had been the original beneficiary, and the exemptions and rates of taxation shall be governed by the respective relationship of each of the ultimate beneficiaries to the first decedent.

(g) The provisions of article I of this title shall apply to property in the estate of every person who shall die after this title becomes effective.

(h) The transfer of any property, or interest therein, within two years prior to death, shall, unless shown to the contrary, be deemed to have been made in contemplation of death.

(i) All property and interest therein which shall pass from a decedent to the same beneficiary by one or more of the methods specified in this section, and all beneficial interests which shall accrue in the manner herein provided to such beneficiary on account of the death of such decedent, shall be united and treated as a single interest for the purpose of determining the tax hereunder.

SEC. 2. The tax provided in section 1 shall be paid on the market value of the property or interest therein at the time of the death of the decedent as appraised by the assessor of the District of Columbia, or, in the discretion of the assessor, upon the value as appraised by the probate court of said District. The taxable portion of real or personal property held jointly or by the entireties shall be determined by dividing the value of the entire property by the number of persons in whose joint names it was held.

SEC. 3. The appraisal thus made shall be deemed and taken to be the true value of the said property or interest therein upon which the said tax shall be paid, and the amount of said tax and the tax imposed by article II of this title shall be a lien on said property or interest therein for the period of ten years from the date of the death of the decedent.

SEC. 4. The personal representative of every decedent, the value of whose estate is in excess of \$1,000, shall, within fifteen months after the death of the decedent, report under oath, to the assessor, on forms provided for that purpose, an itemized schedule of all the property (real, personal, and mixed) of the decedent; the market value thereof at the time of the death of the decedent; the name or names of the persons to receive the same and the actual value of the property that each will receive; the relationship of such persons to the decedent, and the age of any persons who receive a life interest in the property, and any other information which the assessor may require. Said personal representative shall, within eighteen months of the date of the death of the decedent and before distribution of the estate, pay to the collector of taxes of the District of Columbia the taxes imposed by section 1 upon the distributive shares and legacies in his hands and the tax imposed by section 1 hereof against each distributive share or legacy shall be charged against such distributive share or legacy unless the will shall otherwise direct.

SEC. 5. The personal representative of the decedent shall collect from each beneficiary entitled to a distributive share or legacy the tax imposed upon such distributive share or legacy in section 1 hereof, and if the said beneficiary shall neglect or fail to pay the same within fifteen months after the date of the death of the decedent such personal representative shall, upon the order of the District Court of the United States for the District of Columbia, sell for cash so much of said distributive share or legacy as may be necessary to pay said tax and all the expenses of said sale.

Collection of distributive share.

SEC. 6. The bond of the personal representative of the decedent shall be liable for all taxes and penalties assessed under this title: *Provided*, That in no case shall the bond or the personal representative be liable for a greater sum than is actually received by him.

Liability of bond for assessments.

*Proviso.*  
Limitation.

SEC. 7. Every person entitled to receive property taxable under section 1 hereof which property is not under the control of a personal representative, and is over \$1,000 in value shall, within sixty days after the death of the decedent, report under oath to the assessor, on forms provided for that purpose, an itemized schedule of all property (real, personal, and mixed) received or to be received by such person; the market value of the same at the time of the death of the decedent and the relationship of such person to the decedent; and any other information which the assessor may require. The tax on the transfer of any such property shall be paid by such person to the collector of taxes within six months after the date of the death of the decedent.

Designated property not under control of personal representative; report.

Payment of tax.

SEC. 8. The register of wills of the District of Columbia shall report to the assessor on forms provided for the purpose every qualification in the District of Columbia upon the estate of a decedent. Such report shall be filed with the assessor at least once every month, and shall contain the name of the decedent, the date of his death, the name and address of the personal representative, and the value of the estate, as shown by the petition for administration or probate.

Monthly report of names of decedents, etc., by register of wills.

SEC. 9. The Commissioners of the District of Columbia shall have supervision of the enforcement of this title and shall have the power to make such rules and regulations, consistent with its provisions, as may be necessary for its enforcement and efficient administration and to provide for the granting of extension of time within which to perform the duties imposed by this title. The assessor shall determine all taxes assessable under this title and immediately upon the determination of same, shall forward a statement of the taxes determined to the person or persons chargeable with the payment thereof and shall give advice thereof to the collector of taxes. Any person dissatisfied with such determination either as to value or the amount of tax imposed, may, within thirty days after such determination, appeal to the Board of Personal Tax Appeals. Upon hearing, said Board may affirm, modify, or set aside the determination of the assessor. The Board of Personal Tax Appeals is authorized to convene at such times as may be necessary to exercise its functions under this section.

Administration, rules, etc.

Determination of assessable taxes.

Appeal.

Hearing; decision.

The assessor of the District of Columbia is hereby authorized and empowered to summon any person before him or any member of the board of assistant assessors or the Board of Personal Tax Appeals to give testimony on oath or affirmation or to produce all books, records, papers, documents, or other legal evidence as to any matter relating to this title, and the assessor or any member of the board of assistant assessors or Board of Personal Tax Appeals is authorized to administer oaths and to take testimony for the purposes of the administration of this title. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons

Testimony; production of books, records, etc.

issued as herein provided, then and in that event the assessor may report that fact to the District Court of the United States for the District of Columbia or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpoenas of that court.

Life interest or for term of years, payment of tax.

Future estates, assessment of tax.

Tax a lien on property.

Taxes in arrears, additional amount.

Compelling performance of duty.

Failure to file required return; penalty.

False, etc., returns.

Willful failure to pay taxes, make return, etc., penalty.

Release of lien when tax liability discharged.

SEC. 10. In the case of any grant, deed, devise, descent, or bequest of a life interest or term of years, the donee for life or years shall pay a tax only on the value of his interest, and the donee of the future interest shall pay his tax when his right of possession or enjoyment accrues. In the case of a devise, descent, bequest, or grant to take effect in possession or enjoyment after the expiration of one or more life estates or of a term of years, the tax shall be assessed on the value of the property or interest therein coming to the beneficiary at the time when he becomes entitled to the same in possession or enjoyment. Said tax shall be a lien for the period of ten years on the property or interest therein from the date when said beneficiary becomes entitled to the same in possession or enjoyment.

SEC. 11. If the taxes imposed by this title are not paid when due, 1 per centum interest for each month or portion of a month from the date when the same were due until paid shall be added to the amount of said taxes and collected as a part of the same, and said taxes shall be collected by the collector of taxes of the District of Columbia in the manner provided by the law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection.

SEC. 12. If any person shall fail to perform any duty imposed upon him by the provisions of this title or the regulations made hereunder the Commissioners of the District of Columbia may proceed by petition for mandamus to compel performance and upon the granting of such writ the court shall adjudge all costs of such proceeding against the delinquent.

SEC. 13. Any person required by this title to file a return who fails to file such return within the time prescribed by this title, or within such additional time as may be granted under regulations promulgated by the Commissioners of the District of Columbia, shall become liable in his own person and estate to the District of Columbia in an amount equal to 25 per centum of the tax found to be due. In case any person required by this title to file a return knowingly files a false or fraudulent return, he shall become liable in his own person and estate to the said District in an amount equal to 50 per centum of the tax found to be due. Such amounts shall be collected in the same manner as is herein provided for the collection of the taxes levied under this title.

SEC. 14. Any person required by this title to pay a tax or required by law or regulation made under authority thereof to make a return or keep any records or supply any information for the purposes of computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make any such return, or supply any such information at the time or times required by law or regulation shall, in addition to other penalties provided by law, be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than one year, or both.

SEC. 15. When the assessor is satisfied that the tax liability of any estate has been fully discharged or provided for, he may, under regulations prescribed by the Commissioners of said District, issue his certificate, releasing any or all property of such estate from the lien herein imposed.

SEC. 16. No person holding, within the District of Columbia, tangible or intangible assets of any resident or nonresident decedent shall deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by the District Court of the United States for the District of Columbia, unless notice of the date and place of such intended transfer be served upon the assessor of the District of Columbia at least ten days prior to such delivery or transfer, nor shall any person holding, within the District of Columbia, any assets of a resident or nonresident decedent deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by said District Court without retaining a sufficient portion or amount thereof to pay any tax which may be assessed on account of the transfer of such assets under the provisions of this article and article II without an order from the assessor of the District of Columbia authorizing such transfer. It shall be lawful for the assessor of the District of Columbia personally, or by his representatives, to examine said assets at any time before such delivery or transfer. Failure to serve such notice or to allow such examination or to retain as herein required a sufficient portion or amount to pay the taxes imposed by this title shall render such person liable to the payment of such taxes. The assessor of the District may issue a certificate authorizing the transfer of any such assets whenever it appears to the satisfaction of said assessor that no tax is due thereon.

SEC. 17. The word "person" when used in this title shall include individuals, partnerships, associations, and corporations.

## ARTICLE II—ESTATE TAXES

SEC. 18. In addition to the taxes imposed by article I, there is hereby imposed upon the transfer of the estate of every decedent who, after this title becomes effective, shall die a resident of the District of Columbia, a tax equal to 80 per centum of the Federal estate tax imposed by subdivision (a) of section 301, title III, of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted.

SEC. 19. There shall be credited against and applied in reduction of the tax imposed by section 18 of this title the amount of any estate, inheritance, legacy, or succession tax lawfully imposed by any State or Territory of the United States, in respect of any property included in the gross estate for Federal estate-tax purposes as prescribed in title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted: *Provided, however*, That only such taxes as are actually paid and credit therefor claimed and allowed against the Federal estate tax may be applied as a credit against and in reduction of the tax imposed by section 18.

SEC. 20. In no event shall the tax imposed by section 18 of this title exceed the difference between the maximum credit which might be allowed against the Federal estate tax imposed by title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, and the aggregate amount of the taxes described in section 19 of this title (but not including the tax imposed by section 18) allowable as a credit against the Federal estate tax.

SEC. 21. The purpose of section 18 of this title is to secure for the District of Columbia the benefit of the credit allowed under the provisions of section 301 (c) of title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, to the extent that the District of Columbia may be entitled by the provisions of said Revenue Act, by imposing additional taxes, and the same shall be

Transfers of decedent's assets to other than executor, etc.; notice to assessor.

Retention of portion to pay tax.

Examination of assets by assessor.

Issuance of certificate.

"Person", construed.

Estate taxes.

Levy on transfers of estate, additional.

Amount.

44 Stat. 69.  
26 U. S. C. §§ 410,  
460.  
Credits allowed.

*Proviso.*  
Restriction.

Not to exceed difference between maximum credit and levy by States, etc.

Designated benefits to District.



*Proviso.*  
Failure to secure Federal credit allowance not to decrease tax.

Executor required to file copy of Federal estate tax return with assessor.

44 Stat. 74.  
26 U. S. C. §§ 420, 421, 464.

Assessment on basis of return.

Tax herein imposed payable in 30 days.

Effective date of title.

Title VI—Tax on privilege of doing business.

Definitions.

"Person."

"Taxpayer."

"Commissioners."

"Business."

"Gross receipts."

liberally construed to effect such purpose: *Provided*, That the amount of the tax imposed by section 18 of this title shall not be decreased by any failure to secure the allowance of credit against the Federal estate tax.

SEC. 22. Every executor or administrator of a decedent dying a resident of the District of Columbia or, if there is no executor or administrator appointed, qualified, and acting within the District of Columbia, then any person in actual or constructive possession of any property forming part of the gross estate of the decedent for Federal estate-tax purposes shall, within thirty days of the filing of the return for Federal estate-tax purposes required by section 304 of the Revenue Act of 1926, file with the assessor for the District of Columbia a copy, verified by the affidavit of the person filing the return with the assessor, of such Federal estate-tax return and shall, within thirty days after the date of any communication from the Commissioner of Internal Revenue, confirming, increasing, or diminishing the tax shown to be due, file a copy of such communication with the assessor. With the copy of the Federal estate-tax return there shall be filed an affidavit as to the several amounts paid or expected to be paid as taxes within the purview of section 19 hereof.

SEC. 23. The assessor of the District of Columbia shall, upon receipt of the return and accompanying affidavit, assess such amount as he may determine from the basis of the return, to be due the District of Columbia. Upon receipt of a copy of any communication from the Commissioner of Internal Revenue, herein required to be filed, the assessor shall make such additional assessment or shall make such abatement of the assessment as may appear proper.

SEC. 24. The tax imposed by this article shall be paid to the collector of taxes within thirty days after the determination of said taxes by the assessor of the District of Columbia.

SEC. 25. This title shall become effective at 12:01 antemeridian, the day immediately following its approval.

**TITLE VI—TAX ON PRIVILEGE OF DOING BUSINESS**

SEC. 1. Where used in this title—  
(a) The term "person" includes any individual, firm, copartnership, joint adventure, association, corporation (domestic or foreign), trust, estate, receiver, or any other group or combination acting as a unit, but shall not include railroad or railroad express companies which report to and are subject to regulation by the Interstate Commerce Commission under the provisions of the Interstate Commerce Act of 1887, as amended.  
(b) The term "taxpayer" means any person liable for any tax hereunder.  
(c) The term "Commissioners" means the Commissioners of the District of Columbia or their duly authorized representative or representatives.  
(d) The term "business" shall include the carrying on or exercising for gain or economic benefit, either direct or indirect, any trade, business, profession, vocation, or commercial activity in or on privately owned property and in or on property owned by the United States Government in the District of Columbia, not including, however, labor or services rendered by any individual as an employee for wages, salary, or commission.  
(e) The term "gross receipts" means the gross receipts received from any business in the District of Columbia, including cash, credits, and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, the cost of materials, labor, or services or other costs, interest, or discount paid,

or any other expenses whatsoever: *Provided*, That the term "gross receipts" when used in connection with or in respect of financial transactions involving the sale of notes, stocks, bonds, and other securities, or the loan, collection, or advance of money, or the discounting of notes, bills, or other evidences of debt, shall be deemed to mean the gross interest, discount, commission, or other gross income earned by means of or resulting from said financial transactions: *Provided further*, That in connection with commission merchants, attorneys or other agents, the term "gross receipts" shall be deemed to mean the gross amount of such commissions or gross fees received by them, and, as to stock and bond brokers, the term "gross receipts" shall be deemed to mean gross amount of commissions or gross fees received, the gross trading profit on securities bought and sold, and the gross interest income on marginal accounts from business done or arising in the District of Columbia: *Provided further*, That with respect to contractors the term "gross receipts" shall mean their total receipts less money paid by them to sub-contractors for work and labor performed and material furnished by such sub-contractors in connection with such work and labor.

(f) The term "fiscal year" means a year beginning on the 1st day of July and ending on the 30th day of the June following.

SEC. 2. No person shall engage in or carry on any business in the District of Columbia after sixty days from the approval of this Act and until July 1, 1938, without first having obtained a license so to do from the Commissioners, except that no license shall be required of any person selling newspapers, magazines, or periodicals, whose sales are not made from a fixed location and which sales do not exceed the annual sum of \$2,000. All licenses issued under this title shall expire on June 30, 1938, and no license may be transferred to any other person.

All licenses granted under this title must be conspicuously posted on the premises of the licensee and said license shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspection. Licensees having no located place of business shall exhibit their licenses when requested to do so by any of the officers above named.

Licenses shall be good only for the location designated thereon, except in the case of licenses issued hereunder for businesses which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business without a payment of a separate fee for each.

The Commissioners may, after hearing, revoke any license issued hereunder for failure of the licensee to file a return or corrected return within the time required by this title or to pay any installment of tax when due.

SEC. 3. Each application for license shall be accompanied by a filing fee of \$10: *Provided, however*, That no license fee shall be required of any person if he shall certify under oath that his gross receipts during the year immediately preceding his application, if he was engaged in business during all of such period of time, or his gross receipts as computed in the manner provided in section 5 of this title, if he was engaged in business for less than one year immediately preceding his application, was not more than \$2,000. Such application shall be upon a form prescribed and furnished by the Commissioners.

SEC. 4. Every person subject to the tax hereunder shall, within thirty days after the approval of this Act, furnish to the assessor, on a form prescribed by the Commissioners, a statement under oath showing the gross receipts of the taxpayer during the preceding calendar year, which said return shall contain such other infor-

*Provisos.*  
Term when used in certain financial transactions.

In connection with commission merchants, etc.

With respect to contractors.

"Fiscal year."

Licenses required; exceptions.

Duration; restriction on transfer.

Posting, accessibility.

Good for designated location only.

Revocation.

Filing fee.

*Proviso.*  
Exemptions.

Financial statement to be furnished.

mation as the Commissioners may deem necessary for the proper administration of this title.

Examination of books, etc.

Summons; power to compel obedience.

The Commissioners, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making a return where none has been made, are authorized to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the Commissioners shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the Commissioners may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpoenas of that court.

Extension of time for filing return.

The Commissioners are authorized and empowered to extend for cause shown the time for filing a return for a period not exceeding thirty days.

Tax rate.

SEC. 5. For the privilege of engaging in business in the District of Columbia, each person so engaged shall pay to the collector of taxes of the District of Columbia for the fiscal year 1937-1938 a tax equal to two-fifths of 1 per centum of the gross receipts in excess of \$2,000 derived from such business for the calendar year 1936: *Provided, however,* That the tax imposed by this section shall be payable only upon the gross commissions of any person engaged in the business of a broker or agent, and shall not be payable upon the funds of his principal, of which he is a mere conduit.

*Proviso.*  
Broker or agent.

Computation for fraction of year.

If a taxpayer was not engaged in business during the whole of the calendar year 1936 he shall pay the tax imposed by this title measured by his gross receipts during the period of one year from the date when he became so engaged; and if such taxpayer shall not have been so engaged for an entire year prior to the approval of this Act, then the tax imposed shall be measured by his gross receipts for the period during which he was so engaged, multiplied by a fraction, the numerator of which shall be 365 and the denominator of which shall be the number of days during which he was so engaged.

Consolidation of business.

If a person liable for the tax during any year or portion of a year for which the tax is computed acquires the assets or franchises of or merges or consolidates his business with the business of any other person or persons, such person liable for the tax shall report, as his gross receipts by which the tax is to be measured, the gross receipts for such year of such other person or persons together with his own gross receipts during such year.

National banks, public utilities, etc., exempt.

SEC. 6. National banks and all other incorporated banks and trust companies, street railroad, gas, electric lighting and telephone companies, companies incorporated or otherwise, who guarantee the fidelity of any individual or individuals, such as bonding companies, companies who furnish abstracts of titles, savings banks, and building and loan associations which pay taxes under existing laws of the District of Columbia upon gross receipts or gross earnings, and insurance companies which pay a tax upon premiums shall be exempt from the provisions of this title. Any tax levied by the District of Columbia upon tangible personal property (other than motor vehicles) for the fiscal year 1937-1938 and paid by such taxpayer shall be credited upon the tax due under this title.

Tax on tangible personal property; credit therefor.

SEC. 7. The taxes imposed hereby shall be due thirty days after the approval of this Act and may be paid without penalty to the collector of taxes of the District of Columbia in equal semiannual installments in the months of September and March following. If either of said installments shall not be paid within the month when the same is due, said installment shall thereupon be in arrears and delinquent and there shall be added and collected to said tax a penalty of 1 per centum per month upon the amount thereof for the period of such delinquency, and said installment with the penalties thereon shall constitute a delinquent tax.

SEC. 8. If a return required by this title is not filed, or if a return when filed is incorrect or insufficient and the maker fails to file a corrected or sufficient return within twenty days after the same is required by notice from the assessor, the assessor shall determine the amount of tax due from such information as he may be able to obtain, and, if necessary, may estimate the tax on the basis of external indices such as number of employees of the person concerned, rentals paid by him, stock on hand, and other factors. The assessor shall give notice of such determination to the person liable for the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed shall within fifteen days after the giving of notice of such determination apply to the Board of Equalization and Review of the District for hearing and review, and the burden of proving the incorrectness of the assessor's determination shall be upon the taxpayer. After such hearing said Board shall give notice of its decision to the person liable for the tax. The decision of said Board may be reviewed by application to the District Court of the United States for the District of Columbia, if the said application be filed within twenty days after said notice: *Provided, however*, That the amount of any tax sought to be reviewed shall, with interest and penalties thereon, if any, be first deposited with the clerk of said court.

SEC. 9. Any person failing to file a return or corrected return within the time required by this title shall be subject to a penalty of 10 per centum of the tax due plus 5 per centum of such tax for each month of delay or fraction thereof.

SEC. 10. Any notice authorized or required under the provisions of this title may be given by mailing the same to the person for whom it is intended by registered mail addressed to such person at the address given in the return filed by him pursuant to the provisions of this title, or if no return has been filed then to his last-known address. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which must be determined under the provisions of this title by the giving of notice shall commence to run from the date of mailing such notice.

SEC. 11. The taxes levied hereunder and penalties may be collected by the collector of taxes of the District of Columbia in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection.

SEC. 12. Any person engaging in or carrying on business without first having obtained a license so to do, or failing or refusing to file a sworn report as required herein, or to comply with any rule or regulation of the Commissioners for the administration and enforcement of the provisions of this title shall, upon conviction thereof, be fined not more than \$1,000 for each and every failure, refusal, or violation, and each and every day that such failure, refusal, or violation continues shall constitute a separate and distinct offense. All prosecutions under this title shall be brought in the police court of

Payment of taxes.

Installments in arrears, additional amount.

Return not filed or incorrect, determination of amount due.

Appeal to Board of Equalization and Review.

Review by District Court.

*Proviso.*  
Deposit of amount of tax.

Penalty provision.

Authorized notice, presumptive evidence of receipt.

Collection of taxes and penalties.

Penalties.

Internal Revenue Bureau to supply requested information.

Inviolability of information pertaining to business of taxpayer.

Furnishing taxpayer with copy of his return permitted. Publication of statistics.

Use of, in court action.

Preservation of returns.

Existing provisions not repealed.

Title VII—Rate of taxation on tangible property and miscellaneous provisions.

Rate for fiscal year 1938 on real and tangible personal property.

Installments, extensions of time for payment authorized.

Authorization for advance of funds. 42 Stat. 668.

the District of Columbia on information by the corporation counsel or his assistant in the name of the District of Columbia.

SEC. 13. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Commissioners relative to any person subject to the taxes imposed under this title.

SEC. 14. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Commissioners or any person having an administrative duty under this title to divulge or make known in any manner the receipts or any other information relating to the business of a taxpayer contained in any return required under this title. The persons charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the United States or the District of Columbia, or on behalf of any party to any action or proceeding under the provisions of this title, when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer, or his duly authorized representative, of a certified copy of any return filed in connection with his tax, nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the corporation counsel of the District of Columbia, or any of his assistants, of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Commissioners order them to be destroyed. Any violation of the provisions of this section shall be subject to the punishment provided by section 12 of this title.

SEC. 15. This title shall not be deemed to repeal or in any way affect any existing Act or regulation under which taxes are now levied.

**TITLE VII—RATE OF TAXATION ON TANGIBLE PROPERTY AND MISCELLANEOUS PROVISIONS**

SEC. 1. (a) For the fiscal year ending June 30, 1938, the rate of taxation imposed for the District of Columbia on real and tangible personal property shall not be less than 1.75 per centum on the assessed value of such property.

(b) The Commissioners of the District of Columbia are authorized to extend for not to exceed sixty days the time for payment of any installment of taxes on real property, tangible and intangible personal property, and other taxes, payable in September 1937.

**AUTHORIZATION FOR ADVANCE OF FUNDS**

SEC. 2. Until and including June 30, 1938, the Secretary of the Treasury, notwithstanding the provisions of the District of Columbia Appropriation Act, approved June 29, 1922, is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary, from time to time, during said fiscal year to meet the general expenses of said District,

as authorized by Congress, and such amounts so advanced shall be reimbursed by the said Commissioners to the Treasury out of the taxes and revenue collected for the support of the government of the said District of Columbia.

#### SURVEY OF TAX STRUCTURE OF THE DISTRICT

SEC. 3. There is hereby authorized to be appropriated out of the revenues of the District of Columbia the sum of \$5,000, for the employment of clerical services in connection with a survey and study of the entire tax structure of the District of Columbia to be made under the direction of the Commissioners of said District. Such sum shall be available for expenditure for personal services without regard to the civil service laws or the Classification Act of 1923, as amended. A report of such survey, with recommendations, shall be made by the Commissioners to Congress not later than January 15, 1938.

Survey of tax structure of the District.  
Sum authorized.  
*Post*, p. 759.

Personal services.

Report to Congress.

#### REGULATIONS

SEC. 4. The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Regulations.

#### SEPARABILITY OF PROVISIONS

SEC. 5. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Separability of provisions.

### TITLE VIII—AMENDMENT TO THE ANTITRUST LAWS

Section 1 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, is amended to read as follows:

Title VIII—  
Amendment to the  
antitrust laws.  
26 Stat. 209.  
15 U. S. C. § 1.

"SECTION 1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal: *Provided*, That nothing herein contained shall render illegal, contracts or agreements prescribing minimum prices for the resale of a commodity which bears, or the label or container of which bears, the trade mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, when contracts or agreements of that description are lawful as applied to intrastate transactions, under any statute, law, or public policy now or hereafter in effect in any State, Territory, or the District of Columbia in which such resale is to be made, or to which the commodity is to be transported for such resale, and the making of such contracts or agreements shall not be an unfair method of competition under section 5, as amended and supplemented, of the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes', approved September 26, 1914: *Provided further*, That the preceding proviso shall not make lawful any contract or agreement, providing for the establishment or maintenance of minimum resale prices on any commodity herein involved, between manufacturers, or between producers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be

Contracts in restraint of trade illegal.

*Provisos.*  
Resale price maintenance; provisions where contracts are lawful in intrastate transactions.

Not deemed unfair method of competition.  
38 Stat. 719.  
10 U. S. C. § 45.

Contracts between manufacturers, etc.

Penalty for violation.

illegal shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

Approved, August 17, 1937.

[CHAPTER 691]

AN ACT

August 17, 1937

[H. R. 7823]

[Public, No. 315]

Guanica Lighthouse  
Reservation, P. R.  
Exchange of, for ad-  
jacent plots, author-  
ized.

To authorize the Secretary of Commerce to exchange with the people of Puerto Rico the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Commerce is hereby authorized to convey to the people of Puerto Rico the parcel of land and certain improvements comprising the Guanica Lighthouse Reservation in exchange by deeds of conveyance of two adjacent plots of land required for establishing the Guanica Light at a higher elevation to provide greater visibility, and provide for necessary roadway and wharf facilities. The deeds of conveyance shall describe by metes and bounds the lands involved in the exchange, and acceptable titles free of all encumbrances are required to be furnished the United States.

Approved, August 17, 1937.

[CHAPTER 692]

JOINT RESOLUTION

August 17, 1937

[S. J. Res. 171]

[Pub. Res., No. 62]

Charles Carroll of  
Carrollton Bicenten-  
nary Commission.  
Authority granted  
to fix compensation  
and to determine ex-  
penditures.  
49 Stat. 1516.

Relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of carrying out its functions under the joint resolution of June 15, 1936, the Charles Carroll of Carrollton<sup>1</sup> Bicentenary Commission, or the Chairman acting for the Commission, is authorized to fix the compensation of such officers and employees as may be necessary without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, and to determine its necessary expenditures and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other laws governing the expenditure of public funds.

Approved, August 17, 1937.

[CHAPTER 695]

JOINT RESOLUTION

August 19, 1937

[H. J. Res. 363]

[Pub. Res., No. 63]

United States Con-  
stitution Sesquicen-  
tennial Commission.  
Additional appro-  
priation authorized.

To authorize an additional appropriation to further the work of the United States Constitution Sesquicentennial Commission.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 8 of the public resolution entitled "Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes", approved June 1, 1936 (49 Stat. 1392), is hereby amended by striking out the sum "\$200,000" and inserting in lieu thereof the sum "\$475,000".

49 Stat. 1392.  
Post, p. 756.

<sup>1</sup> So in original.

SEC. 2. Such public resolution is hereby further amended by adding new sections thereto as follows:

"SEC. 9. Sums heretofore or hereafter received from the sale of publications and other material of such Commission are hereby authorized to be appropriated as a revolving fund for the further acquisition of such publications and material.

"SEC. 10. That the United States Constitution Sesquicentennial Commission is authorized and directed to procure sufficient copies of the booklet entitled 'The Story of the Constitution', published by the Commission, to provide a distribution quota of two thousand copies for each Senator, Representative, and Delegate from a Territory. Enclosures for mailing such booklets shall also be provided by the Commission. The quantities of such booklets and enclosures required for Senators shall be delivered to the folding room of the Senate and placed subject to the order of the respective Senators and the quantities required for Representatives and Delegates shall be delivered to the folding room of the House of Representatives and placed subject to the order of the respective Representatives and Delegates.

"SEC. 11. Any funds heretofore or hereafter made available to the United States Constitution Sesquicentennial Commission for carrying out the functions imposed upon such Commission by or pursuant to law may be expended by the Commission for printing and binding outside the Government Printing Office and such objects as the Commission may deem necessary and proper to accomplish the purposes of such functions: *Provided*, That this provision shall not be construed as waiving the requirement for the submission of accounts and vouchers to the General Accounting Office for audit.

"SEC. 12. The President is authorized to appoint a director general of such Commission who shall not be deemed an officer of the Government."

Approved, August 19, 1937.

New sections.

Receipts from sale of publications, appropriation authorized as revolving fund.

"The Story of the Constitution"; purchase and distribution.

Printing and binding outside Government Printing Office.

*Proviso.*  
Accounting.

Director General; appointment, status.

## [CHAPTER 696]

### JOINT RESOLUTION

To establish the General Anthony Wayne Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of General Anthony Wayne.

August 19, 1937  
[H. J. Res. 406]

[Pub. Res., No. 64]

Whereas the people of the United States owe a deep debt of gratitude to General Anthony Wayne, whose military career meant so much during the War of Revolution and whose activities in the Indian wars succeeded in opening such a large tract of territory in the Middle West; and

Whereas no adequate memorial exists at the junction of the Saint Mary's, Saint Joseph, and Maumee Rivers where he established his fort and carried on his campaign: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established a Commission, to be known as the "General Anthony Wayne Memorial Commission", and to be composed of nine commissioners, three to be appointed by the President of the United States, three Senators to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. Such Commission shall consider and formulate plans for designing and constructing a permanent memorial in the city of Fort Wayne to the said General Anthony Wayne.

SEC. 2. Such Commission may, in its discretion, accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing,

General Anthony Wayne Memorial Commission.  
Preamble.

Establishment, composition, purpose, etc.

Construction of permanent memorial at Fort Wayne.

Acceptance of gifts.



and considering plans for the construction of such memorial, or other expenses incurred, or to be incurred, in carrying out the provisions of this joint resolution.

Report to Congress.

SEC. 3. The Commission shall report its recommendations to Congress as soon as practicable.

Sum authorized for expenses.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 which shall be available to defray the necessary expenses of the Commission for the performance of their duties herein prescribed. Disbursement of the sum herein authorized shall be made on vouchers approved by the Chairman of the Commission.

Approved, August 19, 1937.

#### [CHAPTER 697]

#### AN ACT

To authorize the Secretary of War to lease the Fort Schuyler Military Reservation, New York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to lease to the State of New York, for nautical education purposes in the interests of national defense, the Fort Schuyler Military Reservation, New York, or portions thereof, for such term or terms, and upon such conditions as the Secretary of War may deem advisable, and he may authorize the State of New York incident to making the premises suitable for occupancy to change the contour of the land, alter or demolish existing buildings and other structures, erect new buildings and structures, construct roads and other utilities, and landscape the reservation: *Provided*, That all alterations, construction, and improvements made shall become the property of the United States: *Provided further*, That the consideration for said lease or leases shall be the repair and maintenance of the property by the State of New York in accordance with the terms of the lease, and such lease or leases shall reserve to the United States of America the right to resume possession and occupy said premises or any portion thereof whenever in the judgment of the Secretary of War an emergency exists that requires the use and appropriation of the same for the public defense.

Approved, August 19, 1937.

#### [CHAPTER 698]

#### AN ACT

For the protection of certain enlisted men of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the language contained in the second proviso on page 6 of the Act of July 1, 1937 (Public, Numbered 176, Seventy-fifth Congress, first session), or any other Act, during the three-year period following the enactment of this Act, enlisted personnel of the Army who have legally declared their intention to become citizens, or who do so during their current enlistment, or who have been discharged from the Army since July 1, 1937, and who also agree to complete expeditiously their naturalization and become citizens of the United States may be reenlisted and receive the pay to which, except for the aforesaid proviso, they would otherwise be legally entitled: *Provided*, That Filipinos who were serving in the Army on July 1, 1937, may be reenlisted without regard to their citizenship status, and receive the pay to which otherwise legally entitled.

Approved, August 19, 1937.

August 19, 1937

[S. 2639]

[Public, No. 316]

Fort Schuyler Military Reservation, N. Y.  
Lease to State authorized.

Terms, conditions, etc.

Provisos.  
Improvements.

Consideration for lease.

Reservation by United States.

August 19, 1937

[S. 2871]

[Public, No. 317]

Army.  
Reenlistment of aliens; citizenship requirements modified.  
*Ante*, p. 446.

Proviso.  
Reenlistment of Filipinos.

## [CHAPTER 699]

## AN ACT

To authorize the construction of bridges in Caddo Parish, Louisiana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Louisiana, the Louisiana Highway Commission, and/or to the Parish of Caddo, Louisiana, and they are jointly and severally authorized to construct, maintain, and operate a free highway bridge and approaches thereto over each of the following-named streams at the following places in the Parish of Caddo, Louisiana, to wit:

1. A bridge across Cross Bayou at Shreveport, Louisiana;
2. A bridge across Twelve Mile Bayou approximately three miles north of Shreveport, Louisiana;
3. A bridge across Caddo Lake at or near Mooringsport, Louisiana;

all to be located along the proposed relocation of the State Highway Route Numbered 8, between Shreveport, Louisiana, and Rodessa, Louisiana, at a point suitable to the interests of navigation, and according to the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to all conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 19, 1937.

August 19, 1937  
[S. 2882]  
[Public, No. 318]

Caddo Parish, La.  
Bridge construction  
authorized at places  
designated.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

## [CHAPTER 700]

## AN ACT

For the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the certificate of incorporation and certificate of amendment thereto for the incorporation of the Southeastern University of the Young Men's Christian Association of the District of Columbia under subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia (1929 D. C. Code, title 5, ch. 8) be, and the same are hereby, approved and confirmed, except as herein specifically altered and amended.

SEC. 2. That the name of the corporation shall be "Southeastern University".

SEC. 3. That the management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than twenty-one in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of the said university, of the qualifications prescribed by the board of managers of the Young Men's Christian Association of the city of Washington, a corporation organized and existing under and by virtue of the Act of Congress approved June 28, 1864 (13 Stat. L. 411 and the Acts amendatory thereof), nominated by the alumni of the said university in the manner prescribed by said board of managers, and all of whom shall be elected by said board of managers; that C. C. Caywood, A. W. Defenderfer, L. W. DeGast, Charles E. Krey, George A. Lewis, George W. Offutt, John Poole, James P. Schick, H. Randolph Barbee, James A. Bell, Harvey T. Casbarian, and D. Roland Potter shall act as and constitute the first board of trustees under this Act and shall be classified with respect to the time for which they shall severally originally hold office into

August 19, 1937  
[H. R. 3406]  
[Public, No. 319]

District of Colum-  
bia.  
Southeastern Uni-  
versity of the Young  
Men's Christian As-  
sociation; incorpora-  
tion, etc., approved.  
31 Stat. 1280.

Name.

Board of trustees;  
membership, qualifi-  
cations, etc.

13 Stat. 411.

First board of  
trustees.

## Terms of office.

three equal classes, the first class for the term of one year, the second class for the term of two years, and the third class for the term of three years; the respective original terms of office of any additional trustees shall be such as to equalize said three classes, as far as possible; and the successors to each said class of trustees shall severally hold office for the term of three years, so that the term of office of one class shall expire annually.

## Powers and authority of board declared.

SEC. 4. That the said board of trustees is authorized to (a) make, alter, and repeal bylaws for the management of the said corporation and rules and regulations for the government of the university and the "schools", faculty, and students thereof; (b) elect as officers of the said corporation and fix the salaries of a president, a treasurer, and a secretary, and such other officers as it may find necessary, for the respective terms and with the respective powers and duties as fixed by the bylaws of the said corporation; (c) appoint, from among their number, as officers of the said board of trustees and fix the salaries of a chairman, a vice chairman, and a secretary, and such other officers as it may find necessary, for the respective terms and with the respective powers and duties as fixed by the bylaws of the said corporation; (d) remove any trustee when, in its judgment, he shall be found incapable, by age or otherwise, of performing or discharging, or shall neglect or refuse to perform or discharge, the duties of his office; (e) determine and establish from time to time additional "schools" in all departments of sciences, liberal arts, and the professions, and the courses of instruction therein; (f) determine and establish, from time to time, additional professorships; (g) appoint, from time to time, such deans, professors, tutors, and instructors as it may deem necessary, and fix their respective terms, duties, and salaries; and (h) grant and confer degrees, but only upon the recommendation of the appropriate "school".

## Corporate powers, etc.

SEC. 5. That the said corporation may have and use a common seal and alter and change the same at pleasure, and shall have power, in its corporate name (a) to sue and be sued; (b) to plead and be impleaded; and (c) to acquire real, personal, and mixed property by gift, grant, purchase, bargain and sale, conveyance, will, devise, bequest, or otherwise, to hold, use, and maintain the same solely for the purposes of education, and to demise, let, mortgage, or otherwise lien, grant, sell, exchange, convey, transfer, place out at interest, or otherwise dispose of the same for its use in such manner as shall seem most beneficial thereto; subject to conforming to the express conditions of the donor of any gift, devise, or bequest with regard thereto accepted by it; provided it shall not hold more land at any one time than necessary for the purposes of education, unless it shall have received the same by gift, grant, or devise, in which case it shall sell and dispose of so much of the same as may not be necessary for said purposes within fifteen years from the date of acquisition, otherwise the same shall revert to the donor or his heirs.

## Income, use of.

SEC. 6. That the income of the said corporation from all sources whatsoever shall be held in the name of the corporation and applied to the maintenance, endowment, promotion, and advancement of the said university and the said Young Men's Christian Association of the city of Washington, subject to conforming to the express conditions of the donor of any gift, devise, or bequest accepted by the said corporation, with regard to the income therefrom.

## No religious, etc., qualifications.

SEC. 7. That no person shall ever be required to profess any particular religious denomination, sentiment, or opinion as a condition to becoming and continuing a member of the faculty or a student, with the full benefits, privileges, and advantages thereof.

SEC. 8. That no institution of learning hereafter incorporated in the District of Columbia shall use in or as its title, in whole or in part, the words "Southeastern University".

Exclusive use of title.

SEC. 9. That nothing in this Act contained shall be construed as preventing the Congress from amending, altering, annulling, or repealing the same or any part thereof.

Amendment, etc.

Approved, August 19, 1937.

[CHAPTER 701]

AN ACT

To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes.

August 19, 1937  
[H. R. 5472]  
[Public, No. 320]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized, under such terms and conditions as he may deem proper, to exchange a tract of land of approximately one thousand two hundred and two acres, near Smokemont, North Carolina, known as the Towstring tract and forming a part of the Cherokee Indian Reservation, for three tracts of land, totaling approximately one thousand five hundred and forty-seven acres, in the vicinity of Ravensford, North Carolina, known as the Boundary Tree, Ravensford, and Tight Run tracts and forming a part of the Great Smoky Mountains National Park, conditioned upon the consent of the Eastern Band of Cherokee Indians to this exchange and to the acquisition by the State of North Carolina of a right-of-way, which shall vary in width between two hundred feet and eight hundred feet, for the Blue Ridge Parkway across the said reservation, and further conditioned upon payment to the said Cherokee Indians by the said State of North Carolina of such compensation as shall have been determined by the said Secretary as just and reasonable for the said right-of-way. When the foregoing conditions have been complied with, the Secretary of the Interior is hereby further authorized to grant to the State of North Carolina a right-of-way as hereinbefore provided for.

Great Smoky Mountains National Park, N. C.  
Exchange of certain lands within, for lands within the Cherokee Indian Reservation, authorized.

Conditions.

Right-of-way grant to State.

SEC. 2. The consent of the said Cherokee Indians to any proposed exchange and the acquisition of a right-of-way by the State of North Carolina as provided for herein shall be expressed by secret ballot in a general election, in which a majority vote in favor thereof. Such election to be arranged and supervised by the tribal council within sixty days after the passage of this Act, and the results of such election shall be final.

Consent of Indians to be determined by ballot.

SEC. 3. No exchange shall be consummated pursuant to the provisions of this Act unless and until the consent of the State of North Carolina is first had and obtained thereto as indicated by an Act of its legislature.

Consent by State.

SEC. 4. Upon the consummation of the exchange made pursuant to the provisions of this Act, the lands transferred to the Indians shall be held in trust by the United States for the said Eastern Band of Cherokee Indians and shall be nontaxable and nonalienable the same as the balance of the Indian land of the aforesaid reservation, and the lands transferred to the United States for park purposes shall become and be a part of the Great Smoky Mountains National Park and shall be subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended: *Provided*, That should any of the exchanged area or parkway right-of-way herein dealt with cease to be used for park or parkway purposes, the title thereto shall revert to its status prior to the exchange.

Lands transferred to Indians to be held in trust; nontaxable, etc.

Acquisitions by United States for park purposes.  
39 Stat. 535.  
16 U. S. C. § 1.  
*Proviso.*  
Reversionary provision.

Approved, August 19, 1937.

## [CHAPTER 702]

## AN ACT

August 19, 1937

[H. R. 6914]

[Public, No. 321]

To authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyoming, for the Wind River irrigation project.

Shoshone Indian  
Reservation, Wyo.  
Acquisition of tribal  
lands for Wind River  
irrigation project.

Description.

Deposit to credit of  
Indians.

Proviso.  
Extinguishment of  
title, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States for the use and benefit of the Wind River Indian irrigation project, Shoshone Indian Reservation, Wyoming, at the appraised value thereof, the east half southeast quarter section 8; the east half northeast quarter and northwest quarter southeast quarter section 17; the north half north half northeast quarter section 20; and the north half northwest quarter northwest quarter section 21, all in township 1 south, range 2 west, Wind River Meridian, Wyoming, and not to exceed \$650 of the allotment made by the Federal Emergency Administration of Public Works to the Indian Service for Federal project 266-Indian, may be used for this purpose. The amount herein authorized shall be deposited to the credit of the Indians of the Shoshone Reservation as proceeds of labor, Shoshone and Arapahoe Indians, Wyoming, and shall be subject to expenditure pursuant to the provisions of existing laws: *Provided,* That such deposit of funds shall operate as a full, complete, and perfect extinguishment of all right, title, and interest the Indians may possess in and to the land herein described.

Approved, August 19, 1937.

## [CHAPTER 703]

## AN ACT

August 19, 1937

[H. R. 7086]

[Public, No. 322]

To direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes.

Shenandoah National  
Park, Va.  
Police jurisdiction  
assumed by United  
States.

Exceptions.  
Service of process,  
suits, etc., arising out-  
side.

State tax powers.

Franchise.

Gasoline, etc., tax.

Provisions appli-  
cable to future con-  
veyances.

Application of laws.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and is hereby, directed to give notice to the State of Virginia through its Governor, as contemplated by the Act of the General Assembly of the State of Virginia approved March 28, 1928, that the United States assumes police jurisdiction over lands lying in the State of Virginia and included within the Shenandoah National Park, title to and exclusive jurisdiction over said lands having been conveyed and ceded under and by authority of said Act and accepted by the Secretary of the Interior, saving, however, to the State of Virginia the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated; and saving further to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles. The Secretary is further directed to give like notice as to lands hereafter conveyed to the United States under like authority at such time or times as he shall determine to be consistent with the interests of the United States. All the laws applicable to places under sole and exclusive jurisdiction

of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Virginia.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Virginia, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within the boundaries of the said park.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima-facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury or spoliation to or upon any building, fence, sign, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 4. That all guns, traps, nets, seines, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild beasts, birds, fish, or animals, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, teams, horses, or other means of transportation, such forfeiture shall be adjudicated

Fugitives from justice.

District court for western district of Virginia, jurisdiction of.

Protection of birds and animals.

Unlawful fishing.

Administrative rules, etc.

Unlawful acts, evidence of violations.

Penalty provisions.

Guns, traps, teams, etc., forfeiture or seizure for violations.

Disposition of.	as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.
United States commissioner. Appointment, jurisdiction.	SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Virginia shall appoint a commissioner who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Virginia and the United States District Court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States District Court.
Judicial powers in violation of rules, etc.	
Appeals.	
Duties, powers, etc.	SEC. 6. That any and all United States commissioners now or hereafter authorized to act within the western district of Virginia and any and all persons who shall hereafter succeed to the duties, powers, and authority of United States commissioners in and for said district shall have full power, authority, and jurisdiction to act, with respect to offenses or violations of law occurring within the limits of the Shenandoah National Park, as the United States commissioner for the Shenandoah National Park may act with respect to offenses or violations of law occurring within the limits of said park.
Arrest and confinement of persons charged with crime.	SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Virginia, and certify a transcript of the record of his proceedings and the testimony in such case to court, which court shall have jurisdiction of the case: <i>Provided</i> , That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.
<i>Proviso.</i> Bail.	
Processes directed to marshal.	SEC. 8. That processes issued by the commissioner shall be directed to the marshal of the United States for the western district of Virginia but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid.
Salary. <i>Proviso.</i> Residence.	SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress: <i>Provided</i> , That the said commissioner shall reside within the exterior boundaries of the Shenandoah National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the

Secretary of the Interior: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act.

Disposal of fees, etc.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Fees chargeable to United States, payment of.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Virginia.

Deposit of fines and costs.

Approved, August 19, 1937.

## [CHAPTER 704]

### AN ACT

To amend the Federal Farm Loan Act, to amend the Emergency Farm Mortgage Act of 1933, to amend the Farm Credit Act of 1933, to amend the Federal Farm Mortgage Corporation Act, to amend the Agricultural Marketing Act, and for other purposes.

August 19, 1937  
[H. R. 7909]  
[Public, No. 323]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Farm Credit Act of 1937".

Farm Credit Act of 1937.

SEC. 2. Section 4 (b) of the Federal Farm Mortgage Corporation Act (U. S. C., 1934 edition, title 12, sec. 1020d) is amended by adding at the end thereof the following new paragraph:

Federal Farm Mortgage Corporation.  
48 Stat. 346.  
12 U. S. C. § 1020d.

"When in the judgment of the directors conditions justify it, the corporation shall have power to extend, in whole or in part, any unpaid obligation under the terms of any mortgage, and to accept payment of any such obligation together with interest thereon, at a rate not exceeding 5 per centum per annum, during such period and in such amounts as may be agreed upon at the date of making such extension."

Extension of unpaid obligations under terms of mortgages; acceptance of payment; interest rate.

SEC. 3. Section 31 (a) of the Emergency Farm Mortgage Act of 1933 (48 Stat. 47), as amended, is amended by striking out all prior to the first proviso and inserting in lieu thereof the following:

Joint-stock land banks.  
48 Stat. 47.  
12 U. S. C. § 823; Supp. II, § 823.  
Amount available for loans to, by Land Bank Commissioner.

"(a) The Federal Farm Mortgage Corporation is authorized and directed to make available to the Land Bank Commissioner until July 1, 1938, out of the funds of the Corporation, the sum of \$2,000,000, to be used for the purpose of making loans to the joint-stock land banks organized and doing business under the Federal Farm Loan Act, as amended. Loans made by the Land Bank Commissioner under this section shall be made in the name and on behalf of the Corporation and shall bear interest at a rate not to exceed 4 per centum per annum. No loan shall be made under this section to any joint-stock land bank except for the purpose of obtaining, for a period of one year from the date on which the loan is made, postponement of the foreclosure of first mortgages held by such bank on account of (1) default in the payment of interest and principal due under the terms of the mortgage, and (2) unpaid delinquent taxes, excluding interest and penalties, which may be secured by the lien of said mortgage."

Interest rate.  
Use of money loaned.

SEC. 4. The first sentence of section 4 (b) of the Federal Farm Mortgage Corporation Act, as amended (U. S. C., 1934 edition, title 12, sec. 1020d), is amended to read as follows: "The corporation is further authorized to purchase from time to time, for cash, such consolidated farm loan bonds at such prices and upon such terms as may be approved by the board of directors of the corporation; to make loans to Federal land banks and joint stock land banks on the

Purchase of consolidated farm loan bonds; loans to Federal land banks; security.  
48 Stat. 346.  
12 U. S. C. § 1020d.



*Proviso.*  
Limitation.

Consolidated farm  
loan bonds as security.  
Investment of  
funds.  
48 Stat. 45.

Farm credit dis-  
tricts; number, bound-  
aries, etc.

Designations  
changed.  
39 Stat. 372.

Farm credit board;  
selection, number.

Title to include city.

Elected directors,  
selection.

District directors,  
appointment.

Present land bank  
directors to form farm  
credit board in each  
district.

Selection of succe-  
sors.

Third district direc-  
tor, selection.

Removal from office,  
restriction on renomi-  
nation.  
39 Stat. 375.  
12 U. S. C. § 831h.

security of real estate mortgages, sheriff's certificates, sales contracts and real estate, upon such terms and conditions as shall be prescribed by the board of directors of the corporation: *Provided, however,* That loans outstanding to joint-stock land banks under this subsection shall not at any one time exceed in the aggregate \$10,000,000; to make loans to Federal land banks on the security of consolidated farm loan bonds; and to invest its funds in mortgage loans made under section 32 of the Emergency Farm Mortgage Act of 1933, as amended."

SEC. 5. (a) There shall be twelve districts in the continental United States, excluding Alaska, which shall be known as farm credit districts, and may be designated by number. The boundaries of the twelve Federal land bank districts existing as of the date of enactment of this Act shall be the boundaries of the respective farm credit districts. Such boundaries may be readjusted from time to time in the discretion of the Farm Credit Administration, provided that said districts shall be apportioned with due regard to the farm credit needs of the country and no such district shall contain a fractional part of any State. The designations "Federal land bank district" and "land bank district" wherever used in the Federal Farm Loan Act, or in any Act amendatory thereof or supplementary thereto, are changed to "farm credit district" and shall hereafter be deemed to refer to the farm credit districts provided for in this section.

(b) There shall be in each farm credit district a farm credit board, which shall be selected as hereinafter specified and shall be composed of seven members. Each farm credit board shall include in its title the name of the city in which the Federal land bank, Federal intermediate credit bank, production credit corporation, and regional bank for cooperatives of the district are located. Three of the members of said board shall be known as elected directors of whom one shall be chosen by national farm loan associations and borrowers through agencies, one shall be chosen by production credit associations of the district, and one shall be chosen by cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives in the district. Three of the seven members shall be known as district directors, of whom two shall be appointed by the Governor of the Farm Credit Administration and one, who shall be known as the third district director, shall be chosen as hereafter in this section provided. The seventh member of such board shall be known as director at large and shall be appointed by the Governor of the Farm Credit Administration.

(c) The directors of the Federal land bank of each district who are in office on the date of enactment of this Act shall constitute the farm credit board of the district and shall serve as members thereof for the remaining portions of the terms for which they were respectively elected or appointed as directors of the bank. Except as otherwise provided by this Act, the successor to each original member of the farm credit board shall be selected in the manner in which such member was selected as a director of the Federal land bank.

(d) Each third district director shall be selected as follows: Each national farm loan association and borrower through agencies in the district shall nominate, in the manner provided herein for the nomination of candidates for elected directors, one candidate for such director, and from the three persons having the greatest number of votes as nominees the Governor of the Farm Credit Administration shall appoint such director. No third district director who is removed from office pursuant to section 17 (h) of the Federal Farm Loan Act may be nominated to succeed himself.

(e) At least two months before an election of an elected director the Farm Credit Administration shall cause notice in writing to be sent to those entitled to nominate candidates for such elected director. In the case of an election of a director by national farm loan associations and borrowers through agencies, such notice shall be sent to all national farm loan associations and borrowers through agencies in the district; in the case of an election by production credit associations, such notice shall be sent to all production credit associations in the district; and in the case of an election by cooperatives which are stockholders or subscribers to the guaranty fund of the bank for cooperatives of the district, such notice shall be sent to all cooperatives which are stockholders or subscribers to the guaranty fund at the time of sending notice. After receipt of such notice those entitled to nominate the director shall forward nominations of residents of the district to the Farm Credit Administration. The Farm Credit Administration shall, from the nominations received within thirty days after the sending of such notice, prepare a list of candidates for such elected director consisting of the ten nominees receiving the highest number of votes.

Notice and procedure of nominating elected directors

(f) At least one month before the election of an elected director the Farm Credit Administration shall mail to each person or organization entitled to elect the elected director the list of the ten candidates nominated in accordance with the preceding paragraph of this section. In the case of an election of a director by national farm loan associations and borrowers through agencies, the directors of each farm loan association shall cast the vote of such association for one of the candidates on the list. In voting under this section each such association shall be entitled to cast a number of votes equal to the number of stockholders of such association and each borrower through agencies shall be entitled to cast one vote. In voting under this section each production credit association shall be entitled to cast a number of votes equal to the number of the class B stockholders of such association. In voting under this section each cooperative which is a holder of stock in, or a subscriber to the guaranty fund of, the bank for cooperatives shall be entitled to cast one vote. The votes shall be forwarded to the Farm Credit Administration and no vote shall be counted unless received by it within thirty days after the sending of such list of candidates. In case of a tie the Farm Credit Administration shall determine the choice. The nominations from which the list of candidates is prepared, and the votes of the respective voters, as counted, shall be tabulated and preserved and shall be subject to examination by any candidate for at least one year after the result of the election is announced.

Notice and procedure for election.

(g) The terms of office of all directors shall be three years. Any vacancies that may occur in the farm credit board shall be filled for the unexpired term in the manner provided herein for the original selection of such directors.

Terms of office.

(h) Members of each farm credit board shall have been, for at least two years, residents of the district for which they are appointed or elected. From and after the date of enactment of this Act, no person shall be eligible for election or appointment as a member of any district farm credit board, and no person hereafter elected or appointed as a member of any district farm credit board shall be eligible to continue to serve as such, if in either case said person is an officer or employee of any Federal land bank, Federal intermediate credit bank, production credit corporation, or bank for cooperatives. No district director, excepting any third district director selected as hereinabove specified, shall, during his continuance in office, be a director, officer, or employee of any institution, association,

Qualifications.

Limitation on engaging in business.

or partnership engaged in the business of lending money or of making or selling land mortgage loans, except an institution or association under the supervision of the Farm Credit Administration.

Disqualification for conviction of felony, etc.

48 Stat. 257.

(i) No person shall be eligible for appointment or election as an administrative or executive official of a Federal land<sup>1</sup> bank, Federal intermediate credit bank, or of any corporation or bank organized pursuant to the Farm Credit Act of 1933, or as a member of any farm credit board, or shall continue to hold office as such member, if such person has been finally adjudged guilty of a felony, or finally adjudged liable in damages in any civil proceeding for fraud, in any State or Federal court.

Compensation.

(j) Subject to the approval of the Farm Credit Administration members of each farm credit board shall receive such compensation as may be authorized by the board, including a reasonable allowance for necessary expenses in attending meetings of said board and directors' meetings. Such compensation shall be paid by the Federal land bank of the district, and such bank shall be reimbursed therefor by the Federal intermediate credit bank, production credit corporation and bank for cooperatives of the district in such proportion and in such manner as may be fixed by the farm credit board subject to the approval of the Farm Credit Administration. Except with the approval of the Farm Credit Administration, no member of any farm credit board shall receive compensation or allowances for any services rendered such institutions, in his capacity as director or otherwise, for more than thirty days in any one calendar year, exclusive of the period for which compensation is paid for attendance at meetings of said board and at directors' meetings.

Limitation.

Land banks; branches.  
12 U. S. C. § 672.

Applicability of agricultural credit laws to territories, etc.

(k) Nothing contained in this section shall be construed to abrogate or repeal the second paragraph of section 4 of the Federal Farm Loan Act, as amended, or to affect the applicability of any other Act of Congress under which agricultural credit laws of the United States may be made applicable to territories or insular possessions of the United States.

Farm credit boards, powers.

SEC. 6. Each farm credit board provided for in this Act shall have power, subject to the approval of the Farm Credit Administration—

Employment of joint officers and employees for Federal land banks, etc.

(a) To employ joint officers and employees for the Federal land bank, Federal intermediate credit bank, production credit corporation, and regional bank for cooperatives in its district. The salaries or other compensation of all such joint officers and employees shall be fixed by the district farm credit board and shall be paid by the Federal land bank of the district. Such bank shall be reimbursed therefor by the other three institutions in the district, in such amounts and upon such conditions as the board shall determine. Officers and employees appointed by the district farm credit board shall be officers and employees of the district institutions served by them.

Acquisition and disposal of property.

(b) To authorize the acquisition and disposal of such property, real or personal, as may be necessary or convenient for the transaction of the business of the Federal land bank, the Federal intermediate credit bank, the bank for cooperatives, and the production credit corporation, located in its district, upon such terms and conditions as it shall fix, and to prorate among such institutions the cost of purchases, rentals, construction, repairs, alterations, maintenance, and operation, in such amounts and in such manner as it shall determine. Any lease, or any contract for the purchase or sale of property, or any deed or conveyance of property, or any contract for the construction, repair, or alteration of buildings, authorized by a district farm credit board under this subsection shall be

Execution of leases, contracts, etc.

<sup>1</sup> So in original.

executed by the officers of the institution or institutions concerned pursuant to the direction of such board. No provision of law relative to the acquisition or disposal of property, real or personal, by or for the United States, or relative to the making of contracts or leases by or for the United States, including the provisions set out in title 40 and title 41 of the United States Code, 1934 edition, and the Supplements thereto, and including provisions applicable to corporations wholly owned by the United States, shall be deemed or held applicable to any lease, purchase, sale, deed, conveyance, or contract authorized or made by a district farm credit board, Federal land bank, Federal intermediate credit bank, production credit corporation, or bank for cooperatives under this subsection.

(c) No corporation under the supervision of the Farm Credit Administration, of which corporation any member of the board of directors is elected or appointed by private interests, shall be subject to the provisions of the Acts of Congress approved March 14, 1936 (49 Stat. 1161, 1162) (U. S. C., title 5, secs. 29a, 30b–30m, 31a).

SEC. 7. (a) The first paragraph of section 4 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 671), is repealed.

(b) Section 4 of the Federal Farm Loan Act, as amended, is further amended by striking out paragraphs nine to seventeen thereof (U. S. C., 1934 edition, title 12, secs. 678 to 683), both inclusive, and inserting in lieu thereof the following:

"The members of the farm credit board of each farm credit district provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the Federal land bank located in that district. Any compensation that may be provided by the board of directors of any Federal land bank for officers or employees shall be subject to the approval of the Farm Credit Administration."

(c) Section 23 of the Farm Credit Act of 1935 (U. S. C., 1934 edition, Supp. II, title 12, sec. 682a) is repealed.

SEC. 8. The ninth paragraph of section 7 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 719) is amended by adding at the end thereof the following sentence: "The boundaries of the territory designated in the charter of any national farm loan association may be readjusted from time to time to meet the farm loan needs of the locality, as determined by the Farm Credit Administration."

SEC. 9. Section 17 (h) of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 831) is amended to read as follows:

"(h) To suspend or to remove for cause any district director or director at large, or any registrar, appraiser, examiner, or other official appointed by the Farm Credit Administration under authority of section 3 of this Act, as amended, the cause of such suspension or removal to be communicated forthwith in writing by said Administration to the person suspended or removed, and in case of a district director or director at large to the proper Federal land bank, Federal intermediate credit bank, production credit corporation and regional bank for cooperatives."

SEC. 10. Section 201 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1022), is amended to read as follows:

"(b) One such institution shall be established in each farm credit district in the same city as the Federal land bank of the district. The members of the several farm credit boards of the farm credit districts provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the several Federal intermediate credit banks herein provided for and shall have power, subject to the approval of the Farm Credit Administration, to employ and fix the com-

Exceptions.

Federal vacation and sick leave provisions inapplicable to boards selected by private interests.  
49 Stat. 1161, 1162.  
5 U. S. C., Supp. II, §§ 29a, 30b–30m, 31a.  
Land bank districts; provisions repealed.  
39 Stat. 362.  
12 U. S. C. § 671.

Section superseded.  
12 U. S. C. §§ 678–683.

Farm credit board members ex officio directors of land bank in district.  
Approval of compensation.

Persons disqualified; section repealed.  
49 Stat. 320.  
12 U. S. C., Supp. II, § 682a.  
Readjustment of boundaries of territory.  
12 U. S. C. § 719.

12 U. S. C. § 831h.

Suspension or removal of directors, etc.

12 U. S. C. § 1022.

Federal intermediate credit banks, location.

Members of credit boards to be ex officio directors.

Personal services.

pensation of such officers and employees of such Federal intermediate credit banks as may be necessary to carry on the business authorized by this title."

Production Credit  
Corporations, etc.  
48 Stat. 257.  
12 U. S. C. §§ 1131,  
1134.

Location.

Members of credit  
boards to be ex officio  
directors.

SEC. 11. The second and third sentences of section 2 of the Farm Credit Act of 1933 (U. S. C., 1934 edition, title 12, sec. 1134) are amended to read as follows: "One such corporation and one such bank shall be established in each farm credit district in the city in which there is located a Federal land bank. The members of the several farm credit boards of the farm credit districts provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the respective production credit corporations and banks for cooperatives."

Land bank loans.  
12 U. S. C. § 771.  
Liquidation of debts  
incurred prior to Jan-  
uary 1, 1937.

SEC. 12. Paragraph "Fourth" of section 12 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 771), is further amended by striking out "incurred prior to January 1, 1933" from subparagraph (d) thereof, and by inserting in lieu thereof the following: "incurred prior to January 1, 1937".

Loans by Land  
Bank Commissioner.  
49 Stat. 313.  
12 U. S. C., Supp. II,  
§ 1016 (e).

SEC. 13. Section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1016), is further amended by striking out so much of the sixth sentence thereof as follows the colon after the word "other", and by inserting in lieu thereof the following: "Refinancing, in connection with proceedings under chapter VIII of the Bankruptcy Act of July 1, 1898, as amended, any indebtedness, secured or unsecured, of the farmer, or which is secured by a lien on all or any part of the farm property accepted as security for the loan".

Refinancing indebt-  
edness incurred for  
nonagricultural pur-  
poses.

Deferment of prin-  
cipal payments, first  
three years, if not in  
default.

SEC. 14. The fourth sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1016), is further amended by striking out the proviso at the end thereof and by inserting in lieu thereof the following: "Provided, That when in the judgment of the Land Bank Commissioner conditions justify it, any mortgage made under this section may provide that during the first three years the loan is in effect payments of interest only may be required if the borrower shall not be in default with respect to any other condition or covenant of his mortgage."

Purchase, etc., of  
bonds.  
39 Stat. 372.  
12 U. S. C. § 781.

SEC. 15. (a) Paragraph "Eighth" of section 13 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 781) is amended to read as follows:

Federal Farm Mort-  
gage Corporation  
bonds.

"Eighth. To buy and sell United States bonds and Federal Farm Mortgage Corporation bonds."

Purchase at or be-  
low par.  
48 Stat. 347.  
12 U. S. C. § 781.

(b) Paragraph "Fifteenth" of section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by striking out, after the word "value" in said paragraph, the comma and the words "and to purchase Federal Farm Mortgage Corporation bonds at or below par".

12 U. S. C. § 897.  
Purchase of Federal  
Farm Mortgage Cor-  
poration bonds.

(c) Section 22 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 897), is further amended by inserting under the heading "In the case of a joint-stock land bank" at the end thereof the following:

12 U. S. C. § 781.  
Enumerated pow-  
ers.

"(e) To purchase Federal Farm Mortgage Corporation bonds."

Loans to other Fed-  
eral land banks.

SEC. 16. Section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by adding at the end thereof the following paragraph:

"Seventeenth. To make loans to other Federal land banks upon such terms and conditions as may be approved by the Farm Credit Administration."

12 U. S. C. § 781.

SEC. 17. Section 13 of the Federal Farm Loan Act as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by adding at the end thereof the following new paragraph:

"Eighteenth. To accept conditional payments from borrowers for subsequent credit upon their indebtedness to the land bank; and to allow interest on such payments. All conditional payments so accepted shall be subject to such terms and conditions, not inconsistent with the provisions of this paragraph and with any rules or regulations prescribed for its efficient execution by the Farm Credit Administration, as may be agreed upon at the time of their acceptance. If a conditional payment is accepted for subsequent credit upon a first mortgage which is at the time or is thereafter pledged as collateral security for an issue of farm-loan bonds, all requirements, conditions, and limitations set forth in the seventh, eighth, and ninth paragraphs of section 22 of this Act, as amended, shall apply to such payment the same as though it were a present payment on the principal of the mortgage pledged as collateral security, and the land bank shall forthwith notify the farm loan registrar of its receipt of such payment and account to him therefor. Every conditional payment accepted by a land bank for subsequent credit upon indebtedness of a borrower shall be credited upon such indebtedness as the borrower may from time to time direct in accordance with the terms and conditions upon which the payment has been accepted, and at the option of the bank may in any event be credited upon such indebtedness as and when it matures if it is not otherwise paid by the borrower at or before maturity. If at any time after five years from the date on which a borrower's loan was made, the aggregate of the borrower's conditional payments accepted on account of his indebtedness under such loan and not yet credited thereon equals or exceeds his total indebtedness under the loan, all unmatured indebtedness under such loan shall become due and payable at once, and the payments so accepted shall forthwith be credited upon the borrower's indebtedness under the loan so far as may be necessary to pay it in full. Any balances of conditional payments remaining uncredited when the indebtedness on account of which they have been accepted has been paid in full shall be refunded to the borrower by the land bank."

Acceptance of conditional payments from borrowers.

Acceptance for subsequent credit.

Application to payment.

Credit allowed.

Refund of balances.

SEC. 18. The seventeenth paragraph of section 21 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 883), is further amended by adding at the end thereof the following: "The bond committee may appoint from among their number a subcommittee consisting of three members, to hold office for a period of one year or until their successors have been appointed, may from among their number fill any vacancies on the subcommittee and may dismiss at pleasure the members of the subcommittee or any of them. The subcommittee, if appointed, shall have such authority to exercise the powers and to perform the functions of the bond committee as the bond committee may authorize and shall be subject to all provisions of law relating to the duties and expenses of the bond committee. The committee shall select one of the members of the subcommittee to be chairman and one of the members of the subcommittee to be secretary of the subcommittee."

Land bank bond committee; subcommittee authorized.  
12 U. S. C. § 883.

Authority, etc.

SEC. 19. Paragraph "Tenth" of section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by striking out in the fourth sentence thereof the following: "made prior to the expiration of five years from May 12, 1933", and adding at the end of said paragraph the following: "The unexpended balances of the funds appropriated by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (48 Stat. 279), the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1060), the Second Deficiency Appropriation Act, fiscal year 1935, approved August 12, 1935 (49 Stat. 592), the First Deficiency Appropriation Act, fiscal year 1936, approved June 22,

12 U. S. C. § 781.

Unexpended balances of designated funds, repayments, etc., to constitute revolving fund; use of.  
48 Stat. 279, 1060; 49 Stat. 592, 1635, 1828.

*Ante*, p. 138.

Land bank exam-  
iners; designation  
changed.  
12 U. S. C. § 656.

National farm loan  
association directors;  
terms of office mod-  
ified.

12 U. S. C. § 712.

Vacancies.

12 U. S. C. § 723 (c).  
Borrowers from land  
banks may transfer,  
etc., to Farm Mort-  
gage Corporation.

12 U. S. C. § 732.  
Farm loan associa-  
tion.

Voting in share-  
holders' meetings.

49 Stat. 319.  
12 U. S. C., Supp.  
II, § 745.  
Election of pros-  
pective borrower.

12 U. S. C. §§ 741-  
745.

Common board of  
directors between two  
or more associations.

1936, the Treasury Department Appropriation Act, 1937, approved June 23, 1936, and the Treasury Department Appropriation Act, 1938, approved May 14, 1937, for the purpose of enabling the Secretary of the Treasury to make subscriptions to the paid-in surplus of the Federal land banks, as provided for in this paragraph, and the proceeds of all repayments on account of such paid-in surplus, shall be held in the Treasury of the United States as a revolving fund and shall be available for subscriptions to paid-in surplus made pursuant to this paragraph, as amended."

SEC. 20. Examiners appointed pursuant to the provisions of section 3 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 656), shall hereafter be designated and known as farm credit examiners.

SEC. 21. The second paragraph of section 7 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 712) is amended by striking out the first sentence and inserting in lieu thereof the following: "The board of directors of every national farm loan association shall consist of not less than five nor more than seven members, who shall be elected by the shareholders of the association. Elections of such directors shall be held once each year at an annual meeting of the shareholders. Every national farm loan association shall at the first annual meeting of its shareholders subsequent to the enactment of the Farm Credit Act of 1937 elect two directors for a term of three years, two directors for a term of two years, and the remainder of its board of directors for a term of one year. Thereafter directors shall be chosen to serve for terms of three years, and the shareholders of each association shall annually elect as many directors as may be necessary to fill the places of those directors whose terms expire during the year. Any vacancy that may occur in the board of directors through death, resignation or other cause shall be filled at the next annual meeting of shareholders by the election of a director to serve out the unexpired portion of the term, or a special meeting of shareholders may be called for this purpose. Until such election the remaining directors shall have power to fill the vacancy for the time being by appointing a temporary director to serve until the next meeting of shareholders. All directors shall hold office until their successors are elected and have qualified."

SEC. 22. The fourteenth paragraph of section 7 of the Federal Farm Loan Act, as amended, (12 U. S. C., 1934 edition, title 12, sec. 723 (c)) is further amended by adding at the end thereof: "Any borrower's interest in such stock may be transferred or hypothecated, by him or by operation of law, to the Federal Farm Mortgage Corporation."

SEC. 23. Effective thirty days after the date of the enactment of this Act, the second paragraph of section 8 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 732) is amended to read as follows:

"Every shareholder shall be entitled to one vote, and no more, at all elections of directors and in deciding all questions at meetings of shareholders."

SEC. 24. Effective thirty days after the date of the enactment of this Act, the first sentence of the fifth paragraph of section 9 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 745), is further amended by striking out the word "two-thirds" and inserting in lieu thereof the word "majority".

SEC. 25. (a) Section 9 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, secs. 741 to 745), is further amended by adding at the end thereof the following new paragraphs:

"Any other provisions of law to the contrary notwithstanding, two or more national farm loan associations may with the approval of

the Farm Credit Administration, and by an agreement not inconsistent with any rules and regulations prescribed by the said Administration, provide for a common board of directors to be elected by the shareholders of the associations that are parties to the agreement: *Provided, however*, That each member of any such board shall be a shareholder in an association that is a party to the agreement and shall be a bona fide resident of the territory within which such association is authorized to do business: *And provided further*, That no such agreement shall provide for a term of office in excess of three years for any member of such board. The number of members of the common board of directors shall be specified in the agreement and shall be five or more. The agreement may provide that any director may be elected by the shareholders of one or more of the associations which are parties to the agreement; that in the balloting for any director an association may vote at a separate meeting of its shareholders or at a joint meeting with the shareholders of any other association or associations participating in the election of the director; and that the candidate receiving the highest aggregate number of votes at such meeting or meetings shall be declared elected. Whenever two or more national farm loan associations have entered into such an agreement, the members of the common board of directors provided for in the agreement shall be ex officio the members of the board of directors of each association that is a party to the agreement, any provisions of this Act to the contrary notwithstanding.

"Whenever a national farm loan association has entered into such an agreement, the power of approving applications for loans through the association and the power of admitting persons to membership in the association shall be vested in the loan committee of the association in lieu of being vested in its board of directors. The loan committee of any such association shall be elected annually by the shareholders of the association, instead of by its board of directors, and the shareholders shall in addition annually elect two alternates to serve as members of the loan committee at such times as regular members may be absent or disqualified."

(b) Whenever it shall appear that the capital stock of a national farm loan association is impaired, the Farm Credit Administration may authorize the Federal land bank of the district in which such association is located to make loans to applicants through such association subject to the requirements and conditions specified for direct loans in paragraphs 12 to 16, both inclusive, of section 7 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 723), except as herein otherwise specifically provided, and may authorize such association to elect to membership borrowers having loans made pursuant to said paragraphs on lands situated within the chartered territory of the association. Borrowers admitted to membership in the association pursuant hereto shall be entitled to vote and hold office in the association and the rate of interest on their loans shall be one-fourth of 1 per centum per annum less than the rate of interest provided at such time for direct loans. The association shall endorse all such mortgage loans but it shall not become liable therefor except as hereinafter provided.

When there are ten or more borrowers admitted to membership in an association pursuant hereto whose loans are in good standing, as defined by the Farm Credit Administration, and aggregate not less than \$20,000:

First. The association shall become liable for the payment of said loans: *Provided, however*, That, any other provisions of law to the contrary notwithstanding, the shareholders who have become members pursuant to this subsection shall not be held responsible, through the amount paid in and represented by

*Proviso.*  
Board members to be shareholders and residents of territory.

Term of office, restriction.

Number.

Balloting.

Members of common board to be ex officio directors of each association.

Power to approve loans, admitting persons to membership vested in loan committee.

Annual elections.

Loans where stock of farm loan association is impaired.

12 U. S. C. § 723.

New borrowers as members; voting privileges, etc.

Endorsement of mortgage loans; liability.

Admission to association membership of ten or more borrowers.

Liability for paying loans.

*Proviso.*  
Individual responsibility of shareholders.



their shares or otherwise, for any contracts, debts, or engagements of the association entered into before the date on which the first member was admitted to the association pursuant to this subsection and the shareholders of such association who were members prior to said date shall not be held responsible, through the amount paid in and represented by their shares or otherwise, for any mortgages endorsed by such association on or after said date, but this provision shall not be construed to relieve any other liability with respect to stock held by shareholders who were members prior to said date.

Reduction of interest rate.

Second. The interest rate paid by each such borrower on each such loan shall, beginning with the next regular installment date, be reduced one-fourth of 1 per centum per annum.

Exchange of stock.

Third. The stock in the Federal land bank held by each of said borrowers shall be exchanged for association stock in the manner provided for in paragraph 15 of section 7 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 723, subsec. (d)).

12 U. S. C. § 723 (d).

Admission of new members, etc.

Fourth. The association may thereafter admit new members, endorse their loans, and become liable for the payment of such loans as provided in paragraph "First" of this subsection.

Election of loan committee from stockholders.

Fifth. At the next annual meeting of stockholders, and thereafter, the loan committee of such association may be elected by the members who become stockholders pursuant to this subsection and any loan committee so elected shall have the powers specified for loan committees elected as provided in subsection (a) of this section: *Provided, however,* That in the event such stockholders fail to elect the loan committee, new members shall be admitted to the association as otherwise provided in the Federal Farm Loan Act, as amended.

*proviso.*  
Admission, where stockholders fail to elect loan committee.

Segregation of records, accounts, etc.

Sixth. In accordance with rules and regulations prescribed by the Farm Credit Administration, the association shall maintain separate capital-stock records; shall keep all capital losses or gains, reserves (including legal reserves), and dividends received from the Federal land bank on stock owned by the association in connection with loans for which it becomes liable as provided in this subsection separate and apart from capital losses or gains, reserves (including legal reserves), and dividends received from the Federal land bank on stock owned by the association in connection with other loans of the association; and shall segregate any undivided profits of the association resulting from its business operations in like manner when so required by rules and regulations of the Farm Credit Administration. Subject to the other provisions of the Federal Farm Loan Act with respect to the declaration of dividends, dividends may be declared exclusively on association stock owned by borrowers with loans for which the association becomes liable as provided in this subsection or exclusively on association stock owned by borrowers with other loans through the association.

Special provisions.

If the loan of any borrower who was admitted to membership pursuant hereto is not in good standing at the time when there are ten or more borrowers with loans aggregating not less than \$20,000 which are in good standing, the provisions of paragraphs "First", "Second", and "Third" of this subsection shall be applicable to his loan at such time as it shall be placed in good standing.

If and when all impairment is removed in the stock owned by shareholders with loans which were made prior to the date on which the first member was admitted to the association pursuant to this sub-

section, the holders of such stock and the holders of stock issued on and after said date may, pursuant to rules and regulations of the Farm Credit Administration and consistent with the provisions of the Federal Farm Loan Act, as amended, agree as to the rights, powers, privileges, duties, and liabilities which shall thenceforth attach to their respective shares of stock and otherwise agree as to the future applicability, if any, of the special provisions contained in this subsection.

(c) Section 11 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 761), is amended by adding a paragraph at the end thereof reading as follows:

"Fifth. Whenever a Federal land bank shall have empowered any national farm loan association of its district to collect and pay over to said bank the dues, interest, amortization installments, and other sums payable under the terms, conditions, and covenants of the mortgages taken from its shareholders, such association may, with the approval of said bank, enter into an agreement with another association operating in the same or adjacent territory to make such collections, for and on behalf of the association thus empowered to do so, on any or all of said loans, and immediately pay the amounts so collected to said land bank. Such agreements shall be made upon such terms and conditions and for such consideration as may be approved by the Farm Credit Administration."

(d) Section 29 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, secs. 961-966), is further amended by adding at the end thereof the following new paragraphs:

"Upon receiving satisfactory evidence that any national farm loan association has failed to meet its outstanding obligations of any description, and that it will be to the best interests of its creditors and stockholders for the association to continue in business, the Farm Credit Administration may, in its discretion, in lieu of appointing a receiver as hereinabove in this section provided, appoint a conservator for such association and require of him such bond and security as the Administration may deem proper. The person so appointed shall be a land bank appraiser appointed under the authority of section 3 of this Act: *Provided, however,* That the Farm Credit Administration may, in its discretion, appoint some other qualified person. Any land bank appraiser appointed as a conservator shall serve without any additional compensation. Any other person appointed as a conservator shall receive such compensation as the Farm Credit Administration may authorize. Such compensation and all necessary and proper expenses of any such conservatorship shall be paid out of the assets of such association and shall be a lien thereon which shall be prior to any other lien.

"The conservator, under the direction of the Farm Credit Administration, may, when directed so to do, take possession of the books, records, and assets of every description of such association, and take such action as may be necessary to conserve such assets pending final determination of the financial condition of the association and the conditions under which it may be permitted to continue in business. Such conservator shall at the earliest practicable date make such investigations as shall be necessary to enable him to prepare an accurate report on the financial condition of such association. In preparing such report he shall value the association's assets and determine its indebtedness: *Provided,* That in determining said indebtedness contingent liabilities incurred by the association under the provisions of this Act on endorsed mortgages shall be estimated and included as a debt. On the basis of said evaluation of the associa-

12 U. S. C. § 761.

Servicing loans; agreement between local associations.

Terms and conditions.

12 U. S. C. §§ 961-966.

Failure of national farm loan association to meet obligations.

Conservator; appointment, qualifications, etc.

*Ante*, p. 703.

*Proviso.* Appointment, other than appraiser.

Compensation.

Authority of conservator.

Investigations and report.

*Proviso.* Contingent liabilities to be included.

Submission of report to district Federal land bank.

Decision as to settlement.

New members.

*Ante*, p. 711.  
Termination of conservatorship if in the affirmative.

Procedure, if decision in the negative.

Condition of settlement.

Payments from retired stock.

Procedure where fair book value of stock below par.

tion's assets and indebtedness, the conservator shall determine the fair book value of the outstanding stock of said association and the claims of any retired shareholders based on their previous stock ownership. Upon its completion said report shall be submitted to the Federal land bank of the district and said bank shall thereupon indicate its approval thereof or note any exceptions thereto and submit such report together with its exceptions, if any, to the Farm Credit Administration for consideration.

"If said report is approved, in whole or in part, by the Farm Credit Administration, upon recommendation of the Federal land bank of the district said Administration shall then decide whether such association shall be permitted to pay off and retire its capital stock at its fair book value, upon full payment of the mortgage loans in connection with which such stock was issued originally, and to settle on the same basis the claims of any of its stockholders who have previously paid their loans in full, but have not received credit for, or the proceeds of their stock in such association. At the same time the Farm Credit Administration shall also decide whether it will permit said association to admit new members pursuant to section 25 (b) of the Farm Credit Act of 1937. If the decision of said Administration is in the affirmative, it may terminate the conservatorship and turn the affairs of the association back to its board of directors. If said report is not approved or the decision of said Administration is in the negative, it may, in its discretion, terminate the conservatorship and permit such association to resume the transaction of its business subject to such terms, conditions, restrictions, and limitations as it may prescribe for the protection of the rights of creditors and stockholders, or said Administration may appoint a receiver for the association as elsewhere provided in this section.

"Any settlement made with a retiring or retired shareholder on the basis of the fair book value of the stock of the association pursuant to this section shall be made only on condition that said shareholder agrees to accept such settlement as payment in full. If any shareholder or former shareholder does not desire to settle on such basis, he may, in lieu thereof, be given a participation certificate which will entitle him to share pro rata, on the basis of the number of shares of stock which he owned in the association, in the distribution of any assets of the association which is made after all of its indebtedness to creditors has been satisfied. The Federal land bank of the district may pay to the association from the proceeds of bank stock retired in connection with the payment in full of loans endorsed by such association an amount sufficient to permit the association to make the settlements provided for in this section and any balance of such proceeds shall be retained by the bank and applied as a credit on the indebtedness of the association to it.

"After any determination by the Farm Credit Administration as herein provided, that the fair book value of the stock of a national farm loan association is less than the par value thereof, periodically thereafter any increase in the fair book value of said stock resulting from earnings of the association and actual recoveries in excess of the valuations used by the Farm Credit Administration in determining the fair book value of the stock of such association, as herein provided, shall, under rules and regulations of the Farm Credit Administration, be apportioned ratably on a per-share basis to all outstanding stock or participation certificates having a fair book value less than par until the fair book value of all such stock or participation certificates is equal to the par value thereof.

"In the event that the indebtedness, as determined by the conservator, of an association which has been under conservatorship pursuant to this section increases in excess of the earnings of such association, the Farm Credit Administration may, in its discretion, again appoint a conservator for the association, or it may appoint a receiver as elsewhere provided in this section."

SEC. 26. Section 201 (c) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1023), is amended by adding to the end thereof the following paragraph:

"Each Federal intermediate credit bank shall have power to acquire and dispose of such property, real or personal, as may be necessary or convenient for the transaction of its business, which, however, may be leased to others for revenue purposes."

SEC. 27. Section 203 (a) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1041), is further amended by striking out the comma after the word "banks" and the following: "when chartered and established,"; and by inserting after the comma which follows the word "cash," the following: "United States Government bonds, Federal Farm Mortgage Corporation bonds,".

SEC. 28. Section 203 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1042), is amended to read as follows:

"(b) The provisions of title I of this Act relating to the preparation and issue of farm loan bonds shall, so far as applicable, govern the preparation and issue of debentures or other such obligations issued under the preceding section; but the Farm Credit Administration shall prescribe rules and regulations governing the receipt, custody, substitution, and release of the cash, obligations of the United States Government, and notes or other obligations securing such debentures, the right of substitution being hereby granted, and in the event such notes or other obligations are secured by warehouse receipts, shipping documents, or other similar credit instruments, may permit the substitution of trust receipts therefor in such manner and subject to such conditions as may be approved by the said Administration. Rates of interest upon debentures and other such obligations issued under the preceding section shall, subject to the approval of the Farm Credit Administration, be fixed by the Federal intermediate credit bank making the issue, not exceeding 6 per centum per annum."

SEC. 29. Section 204 (c) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1053), is amended to read as follows:

"(c) Subject to the approval of the Farm Credit Administration, a Federal intermediate credit bank may buy for its own account any debentures or similar obligations issued by or for the benefit and account of such bank or other Federal intermediate credit bank or banks, and (1) hold until maturity any such debentures or similar obligations or (2) retire before maturity any such debentures or similar obligations issued by it or for its benefit and account."

SEC. 30. Section 206 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1072) is further amended to read as follows:

"(b) Subject only to review and approval by the Farm Credit Administration, each Federal intermediate credit bank, at the end of its fiscal year, after all its necessary expenses and costs of operation for such fiscal year have been paid or provided for, shall apply its net earnings then remaining, first, to making up any losses in

Action where indebtedness increases in excess of earnings.

Federal intermediate credit banks.  
42 Stat. 1454.  
12 U. S. C. § 1023.

Acquisition and disposal of property.

42 Stat. 1456.  
12 U. S. C., Supp. II, § 1041.  
Collateral security for debentures.

42 Stat. 1456.  
12 U. S. C. § 1042.

Debentures, etc., preparation and issue; regulations governing collateral.

Interest rates.

42 Stat. 1456.  
12 U. S. C. § 1063.

Purchase, for own account.

42 Stat. 1457.  
12 U. S. C. § 1072.

Disposition of annual earnings.

Elimination of impairment; creation of reserves.

Amount as franchise tax; surplus account.

Use of franchise tax payments.

Liquidation, etc.; disposition of surplus.

49 Stat. 316.  
12 U. S. C., Supp. II, § 1095.

Reports on condition of institutions receiving loans, etc.

Regional agricultural credit corporations. Powers, etc., conferred.  
47 Stat. 711.  
12 U. S. C. § 1148.

Transaction of business in any State, etc.

Borrowing of money; security.

Loans.

Assets, sale and purchase of; liabilities.

excess of its reserves against unforeseen losses and assets of doubtful value; second, to the elimination of any impairment of its paid-in capital and paid-in surplus; third, to the creation and maintenance of reserves against unforeseen losses and assets of doubtful value in such amount as its board of directors may prescribe; fourth, to the payment of 25 per centum of the amount then remaining to the United States as a franchise tax; and, fifth, to the payment of the remaining net earnings into its surplus account. The amounts paid as franchise taxes to the United States by Federal intermediate credit banks shall, in the discretion of the Secretary of the Treasury, be used to supplement the gold reserve held against outstanding United States notes, or shall be applied to the reduction of the outstanding bonded indebtedness of the United States under regulations to be prescribed by the Secretary of the Treasury. Should a Federal intermediate credit bank be dissolved or go into liquidation, after the payment of all debts and other obligations as hereinbefore provided, any surplus remaining shall be paid to and become the property of the United States and shall be similarly applied."

SEC. 31. Section 208 (e) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1095), is amended to read as follows:

"(e) The executive departments, boards, commissions, and independent establishments of the Government, the Reconstruction Finance Corporation, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Reserve banks are severally authorized under such conditions as they may prescribe, upon the request of the Farm Credit Administration to make available to the Farm Credit Administration or any district bank or district corporation operating under its supervision, in confidence, all reports, records or other information they may have relating to the condition of any institution to which the Administration, such district bank, or corporation has made or contemplates making loans or for which it has discounted or contemplates discounting paper, or which it is using or contemplates using as a custodian of securities or other credit instruments, or as a depository."

SEC. 32. Each regional agricultural credit corporation, created under the authority of section 201 (e) of the Emergency Relief and Construction Act of 1932 (U. S. C., 1934 edition, title 12, sec. 1148), in addition to the powers heretofore granted, shall have and, upon order or approval of the Farm Credit Administration, shall exercise the following rights, powers, and authority:

(a) To conduct, transact, and operate its business in any State in the continental United States, in the District of Columbia, and in Puerto Rico.

(b) To borrow money (other than by way of discount) from any other regional agricultural credit corporation, the Reconstruction Finance Corporation, or any Federal intermediate credit bank, and to give security therefor.

(c) To lend any of its available funds to any other regional agricultural credit corporation at such rates of interest and upon such terms and conditions as may be approved by the Farm Credit Administration.

(d) To sell to or purchase from any other regional agricultural credit corporation or any corporation formed by consolidation or merger as provided in section 33 of this Act, any part of or all the assets of any such corporation, upon such terms and conditions as may be approved by the Farm Credit Administration, including the assumption of the liabilities of any such corporation, in whole or in part.

SEC. 33. (a) The Farm Credit Administration shall have the power and authority to order and effect the consolidation or merger of two or more regional agricultural credit corporations, on such terms and conditions as it shall direct.

Consolidation or merger of regional agricultural credit corporations.

(b) The Farm Credit Administration is authorized to grant charters to, prescribe bylaws for, and fix the capital of, regional agricultural credit corporations which may be formed by the consolidation of two or more regional agricultural credit corporations, and to approve or prescribe such amendments to the charter and bylaws of any regional agricultural credit corporation as it may from time to time deem necessary. Corporations formed by the consolidation of two or more regional agricultural credit corporations, as herein provided, shall have all the rights, powers, authority, and exemptions; shall be subject to the same supervision and control; and shall have their expenses paid in the same manner as provided by law in respect to regional agricultural credit corporations organized under section 201 (e) of the Emergency Relief and Construction Act of 1932.

Authority to grant charters, fix capital, etc.

Rights, powers, etc., of consolidated corporations.

47 Stat. 711.  
12 U. S. C. § 1148.

SEC. 34. Nothing contained in sections 32 and 33 of this Act shall be construed as limiting the rights, powers, and authority heretofore granted to the regional agricultural credit corporations, the Farm Credit Administration, or the Governor thereof by any Acts of Congress or Executive orders.

Rights of regional corporations not curtailed.

SEC. 35. Section 34 of the Farm Credit Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1134j), is further amended to read as follows:

49 Stat. 317.  
12 U. S. C., Supp. II, § 1134j.

"SEC. 34. Subject to such terms and conditions as may be prescribed by the chairman of its board of directors, the Central Bank is authorized: (a) to make loans to cooperative associations as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise) to banks for cooperatives organized under section 2 of this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligation, or any interest therein; and (d) to borrow from, and discount or rediscount paper with, any and all such banks and commercial banks."

Central Bank for Cooperatives.  
Lending powers, etc.

Security transactions authorized.

Borrowing, etc., powers.

SEC. 36. Section 41 of the Farm Credit Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1134c), is further amended to read as follows:

49 Stat. 316.  
12 U. S. C., Supp. II, § 1134c.

"SEC. 41. Subject to such terms and conditions as may be prescribed by the Farm Credit Administration, the banks for cooperatives are authorized (a) to make loans to cooperative associations as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise) to any bank organized under this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligation, or any interest therein; and (d) to borrow from, and discount or rediscount paper with, any and all such banks and commercial banks."

Banks for cooperatives, loans by, to cooperative associations, etc.

Security transactions authorized.

Borrowing, etc., powers.

SEC. 37. Section 4 of the Agricultural Marketing Act, as amended (U. S. C., 1934 edition, title 12, sec. 1141b), is further amended by adding at the end thereof the following new subsection:

46 Stat. 13.  
12 U. S. C. § 1141b.

"(7) may sell at public or private sale to the highest responsible bidder, upon such terms and after such public advertisement as the Farm Credit Administration may deem in the public interest, any property, real or personal, or any interest therein, acquired by the

Farm Credit Administration.  
Sale of property acquired on account of loans.

- Lease, pending sale.** United States on account of or as a result of any loans made from the revolving fund authorized by section 6 of this Act, as amended; may lease any such property, pending its sale, on such terms and for such period, not in excess of five years, as the Farm Credit Administration may deem in the public interest; and may incur and pay, from the said revolving fund, obligations and expenses for the operation, upkeep, maintenance, repair, disposition, insurance, and protection of any such property: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service on account of such property."
- Proviso.**  
Purchases, etc.  
R. S. § 3709.  
41 U. S. C. § 5.  
46 Stat. 14.  
12 U. S. C. § 1141d.
- Revolving fund, designated funds covered into.** SEC. 38. Section 6 of the Agricultural Marketing Act, as amended (U. S. C., 1934 edition, title 12, sec. 1141d), is further amended by adding at the end thereof the following: "Any and all funds derived from the sale, lease, operation, or other disposition of any property, real or personal, acquired by the United States on account of or as a result of any loan made pursuant to the provisions of this Act, shall be covered into and become a part of said revolving fund."
- "Debenture" and "debentures" defined.** SEC. 39. The terms "debenture" and "debentures", when used in any Act of Congress, whenever enacted, except the Federal Farm Loan Act, relating to the purchase, sale, or use as security, of debentures issued by or for the benefit and account of any Federal intermediate credit bank or banks, shall be deemed to mean debentures issued by any such bank individually and consolidated debentures issued by such banks acting together.
- Separability provision.** SEC. 40. (a) If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.
- Right to amend, etc.** (b) The right to alter, amend, or repeal this Act is hereby expressly reserved.
- Approved, August 19, 1937.

## [CHAPTER 705]

## AN ACT

August 19, 1937

[H. R. 7953]

[Public, No. 324]

To provide for studies and plans for the development of reclamation projects on the Cimarron River in Cimarron County, Oklahoma; the Washita River in Oklahoma, and the North Canadian River in Oklahoma.

Reclamation projects, Oklahoma.  
Surveys authorized for development of.

Washita River Basin.  
North Canadian River Basin.  
Cimarron River Basin.

Dams.

Funds available.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized (a) to conduct surveys and investigations in order to determine the feasibility and economic usefulness of the development of reclamation projects embracing certain lands in the Washita River Basin in Oklahoma, and certain lands in the North Canadian River Basin in Oklahoma, and certain lands in the Cimarron River Basin, Cimarron County, Oklahoma, and (b) if such development is determined to be feasible and economically useful, to prepare cost of estimates and designs for the construction of dams at such sites and such additional or incidental facilities as are necessary to carry out such development.

SEC. 2. That any funds appropriated providing for surveys under the Reclamation Act may be used to carry out the provisions of this Act.

Approved, August 19, 1937.

## [CHAPTER 706]

## JOINT RESOLUTION

Granting the consent of Congress to a compact between the States of New York and New Jersey providing for the creation of the Palisades Interstate Park Commission as a joint corporate municipal instrumentality of said States with appropriate rights, powers, duties, and immunities, for the transfer to said commission of certain functions, jurisdiction, rights, powers, and duties together with the properties of the bodies politic now existing in each State known as "Commissioners of the Palisades Interstate Park", and for the continuance of the Palisades Interstate Park.

August 19, 1937  
[H. J. Res. 445]  
[Pub. Res., No. 65]

Whereas, pursuant to chapter 170 of the Laws of 1937 of the State of New York and chapter 148 of the Laws of 1937 of the State of New Jersey, the States of New York and New Jersey entered into a compact which is as follows:

Palisades Interstate  
Park Commission.  
Compact between  
New York and New  
Jersey for creation of.

## "COMPACT

"Whereas, heretofore the states of New York and New Jersey have cooperated in the establishment and maintenance of an interstate park along the front of the Palisades in said states and in the mountainous lands in Rockland and Orange counties in the state of New York, by respectively enacting legislation creating in each state a body politic by the name and style of "Commissioners of the Palisades Interstate Park", with power to acquire lands for such park, and improve and manage the same, and by respectively appointing, in practically all cases, the same persons as members of each of such state bodies politic; and

"Whereas, it is confidently believed that the creation, by interstate compact, of a joint corporate municipal instrumentality to hold and manage such interstate park will provide greater flexibility and harmony in the management of the park,

"Now, therefore, in consideration of the premises and of the mutual advantages and benefits to accrue to the peoples of the states of New York and New Jersey from this compact and in consideration of the mutual covenants of the parties hereto herein contained, the sovereign state of New York and the sovereign state of New Jersey do hereby agree as follows:

## "ARTICLE I

"The park or parks in the state of New York under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter one hundred seventy of the laws of nineteen hundred of the state of New York (hereinafter referred to as "New York state board"), and the park or parks in the state of New Jersey now under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter eighty-seven of the laws of nineteen hundred of the state of New Jersey (hereinafter referred to as "New Jersey state board," the New York state board and the New Jersey state board being hereinafter referred to collectively as "state boards"), shall continue to exist and shall be maintained in the two states as an interstate park for the use of the public and for the purpose of preserving the scenic beauty of the Palisades and other lands therein. Such park shall be called "Palisades Interstate Park." The parties hereto do hereby agree to and pledge, each to the other, faithful co-operation



in the future planning, improvement, development, maintenance, government and management of the park, holding in high trust for the benefit of the public the special blessings and natural advantages thereof.

#### “ARTICLE II

“There is hereby created a body corporate and politic with the name and style of ‘Palisades Interstate Park Commission’ (for brevity hereinafter referred to as ‘the commission’) which shall be a joint corporate municipal instrumentality of both the state of New York and the state of New Jersey for the purpose of effecting the objects of this compact and which shall be deemed to be performing governmental functions of the two states in the performance of its duties hereunder. The commission shall have power to sue and be sued, to use a common seal and to make and adopt suitable by-laws. The commission shall consist of ten members, five of whom shall be citizens and residents of the state of New York and five of whom shall be citizens and residents of the state of New Jersey. For the purpose of doing business the members of the commission shall constitute a board. The present members of the two state boards shall be the first members of the commission for their respective states for the remainder of the terms for which they were respectively appointed. Each member of the commission shall be a citizen and resident of the state of which his predecessor was a citizen and each member of the commission other than the first members shall be appointed by the governor of the state of which his predecessor was a citizen, by and with the approval of the senate of such state. Each member shall take an oath of office to perform faithfully all of the duties of his office according to the best of his ability. Such oath of office may be administered by any officer of the state of which such member is a citizen who is authorized to take oaths of office of any state officer and shall be filed in the office of the secretary of state of such state. The term of office of each member other than said first members shall be five years. Each member shall hold office until his successor shall have been appointed and shall have taken his oath of office, but each term shall be deemed to commence at the end of the preceding five-year term regardless of when the incumbent is appointed or takes the oath of office. If a member shall cease to be a citizen and resident of the state for which he was appointed he shall cease to be a member of the commission. If a member of the commission shall die, resign, be removed, refuse to act, or cease to be a citizen and resident of the state for which he was appointed, the vacancy so created shall be filled, for the unexpired term only, by the appointment of a citizen and resident of the state of which such member was a citizen by the governor thereof, by and with the approval of the senate of such state. Each member of the commission may be removed from office for neglect of duty or misconduct in office by the governor of the state of which such member is a citizen after giving such member a copy of the charges against him and an opportunity of being publicly heard in person or by counsel or both in his own defense, upon not less than ten days’ notice. No member of the commission shall receive any compensation for his services as a member, but each member shall be entitled to receive his actual disbursements for his expenses in performing the duties of his office. The commission shall annually choose a president, a vice-president, a treasurer and a secretary from among its members and may also appoint such other officers as it may deem necessary or appropriate to carry out the purposes of this compact.

## “ARTICLE III

“There are hereby transferred to the commission all of the functions, jurisdiction, rights, powers and duties of the respective state boards, as now prescribed by the laws of the respective states, and the same shall hereafter be exercised and performed by the commission, subject to such modifications thereof as are contained in this compact. Either the state of New York or the state of New Jersey may by law applicable to parks or park commissions generally within such state, or by law specifically applicable to the commission or to any of the parks within such state under its jurisdiction, and without the concurrence of the other state, withdraw, modify, alter or amend any of the functions, jurisdiction, rights, powers and duties transferred to the commission by this article or confer additional functions, jurisdiction, rights, powers and duties on the commission, but such action by one state shall be effective only within the territorial limits of such state. The commission shall also have such additional functions, jurisdiction, rights, powers and duties as may be conferred upon it by both states.

## “ARTICLE IV

“1. All legal and equitable title to or in any property, tangible or intangible and whether real, personal or mixed, used or held as a part of, in connection with, or for the purposes of the park or parks now under the jurisdiction, management or control of the respective state boards, or connected with the maintenance or control thereof, in so far as the same shall have heretofore been vested in either of such state boards, is hereby transferred to and vested in the commission, subject to such liens, easements, permits, life rights and other contracts relating thereto or in respect thereof as may now lawfully exist. All such legal and equitable title shall, upon the taking effect of this compact, forthwith and thereafter reside in the commission without further act or deed or transfer.

“2. The commission shall succeed and shall be and hereby is substituted for each of the state boards in so far as either of them has any obligation or liability to any person, firm or corporation, has undertaken or commenced any proceeding or other business, is a party to any action, suit or proceeding (the substitution of the commission for either of the state boards in any action, suit or proceeding to be deemed to be by operation hereof without motion or order) or has issued or promulgated any orders, rules or regulations, and also in so far as, consistent with the other provisions and the purposes of this compact, the commission should be regarded as succeeding and as substituted for either of the state boards in any other respect in order that the purposes of this compact may be accomplished. The balance of all appropriations heretofore made by either state and remaining to the credit of either of the state boards, to which either state board is entitled, or in the future would become entitled if its existence continued, shall be deemed to be appropriations to the commission herein created, and the commission shall, upon the taking effect of this compact, succeed to all the rights to any such appropriations theretofore made with the same force and effect as if the commission had originally been specifically named in the respective appropriation acts instead of the respective state boards for which such appropriations were made.

“3. All lands the title to which is hereby transferred to or shall hereafter be owned by the commission shall be and continue under the jurisdiction of the commission and shall be used only for public

park purposes and none of said lands or any part thereof shall be sold, exchanged or conveyed except with the consent of both states by specific enactments; *provided, however*, that the commission shall have power to grant easements, licenses, permits and other rights over any lands held by it in either state when in the opinion of the commission the same will not interfere with the use and enjoyment of the park by the public.

"4. Each state may by legislation make rules and regulations for the use and government, including regulation of traffic, of such portions of the park as lie within the boundaries of the state, and such parts of any state, county or other public highways as lie within the limits of such portions of the park, and all lands, parks and parkways in the state under the jurisdiction of the commission, prescribe the penalty or penalties for violation of any such rules or regulations, prescribe the procedure for enforcement of any such penalty or penalties and provide the court or courts in which any such enforcement is to be sought.

#### "ARTICLE V

"1. All money, securities and other property, real and personal, heretofore received by either of the state boards or hereafter received by the commission by way of gift, bequest or devise, may be retained by the commission and, except in so far as the purpose or manner of using the same is otherwise specifically designated or restricted by the terms of any such gift, bequest or devise, may be used in the commission's discretion in either state for any park purpose; and the commission may likewise retain and use all revenue and income arising solely from such money, securities and other property so received by way of gift, bequest or devise or from facilities or operations financed solely by funds so received. In the case of revenue and income arising partly from specific property received by way of gift, bequest or devise or from specific facilities or operations financed partly by funds so received, the commission may likewise retain and use such proportion of such revenue and income as the amount of gifts, bequests or devises, or the proceeds thereof, invested in each such property, facility or operation, bears to the total amount invested therein. The legislature of either state may from time to time by law specifically made applicable to the commission prescribe other terms and conditions upon which or purposes for which any gifts, bequests, or devises thereafter made of money, securities, or other property may be accepted for use in such state or used in such state or prescribe a different manner of administering gifts, bequests or devises thereafter made in such state and the disposition of all revenues or income arising therefrom.

"2. Either state may from time to time by law require the commission to render to any designated official or official body of such state such reports and such estimates of revenues and expenditures as may be specified in such law.

#### "ARTICLE VI

"The commission shall not pledge the credit of either state except by and with the authority of the legislature thereof.

#### "ARTICLE VII

"Neither the state of New York nor the state of New Jersey shall be liable for any torts of the commission, its members, officers or employees, except as provided by the laws of such state, but each member, officer and employee of the commission shall, with respect to

any tort committed by him in the exercise of his duties or in the course of his employment as such member, officer or employee, be deemed to be an officer or employee of the state where such tort was committed, and any liability arising from such tort shall be governed by the laws of such state.

### “ARTICLE VIII

“This compact may be amended from time to time by the concurrent action of the two states who are parties hereto.

“In witness whereof, the sovereign states of New York and New Jersey, respectively, have caused this compact to be signed and sealed in triplicate by their respective commissioners thereunto duly authorized this 28th day of June, nineteen hundred thirty seven.

“For the State of New York:

“J. Du Pratt White (L. s.)

“W. Averell Harriman (L. s.)

“Geo. W. Perkins (L. s.)

“Frederick Osborn (L. s.)

“Alfred E. Smith (L. s.)

“John J. Bennett, Jr. (L. s.)

“Attorney General of the State of New York

“As commissioners authorized by Chapter 170 of the Laws of 1937 of the State of New York

“Approved:

“Herbert H. Lehman

“Governor of the State of New York

“In the Presence of:

“Frederick C. Sutro

“For the State of New Jersey:

“Charles W. Baker (L. s.)

“William Childs (L. s.)

“Edmund W. Wakelee (L. s.)

“Abram De Ronde (L. s.)

“Victor H. Berman (L. s.)

“David T. Wilentz (L. s.)

“Attorney General of the State of New Jersey

“As commissioners authorized by Chapter 148 of the Laws of 1937 of the State of New Jersey

“Approved:

“Harold G. Hoffman

“Governor of the State of New Jersey

“In the Presence of:

“Frederick C. Sutro”

Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby given to said compact, and to each and every part and article thereof: *Provided*, That nothing therein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of said compact.

SEC. 2. The right to alter, amend, or repeal this resolution is hereby expressly reserved.

Approved, August 19, 1937.

Consent given.

*Proviso.*  
Federal rights not  
impaired.

Amendment.

## [CHAPTER 716]

## AN ACT

To amend Articles of War 50½ and 70.

August 20, 1937

[S. 1282]

[Public, No. 325]

Articles of War.  
41 Stat. 797-799.  
10 U. S. C. § 1522.  
Court martial.  
Review provisions  
modified.

Consideration of  
charges.  
41 Stat. 802.  
10 U. S. C. § 1542.

Investigation be-  
fore trial.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third and fifth paragraphs of Article of War 50½ (41 Stat. 797-799) be amended by adding to each of said paragraphs the following: "*Provided*, That the functions prescribed in this paragraph to be performed by the President may be performed by the Secretary of War or Acting Secretary of War."

SEC. 2. That Article of War 70 (41 Stat. 802) is hereby amended by inserting in the first line of the second paragraph after the word "referred" the words "to a general court martial", so that the first sentence of said paragraph will read as follows: "No charge will be referred to a general court martial for trial until after a thorough and impartial investigation thereof shall have been made".

Approved, August 20, 1937.

## [CHAPTER 717]

## AN ACT

For the relief of sergeant-instructors, National Guard, and for other purposes.

August 20, 1937

[S. 2401]

[Public, No. 326]

National Guard.  
Certain payments  
validated.

Credits in accounts  
directed.

*Proviso.*  
Limitation on  
rentals.

Ratification of pay-  
ments.

*Proviso.*  
Collection of  
amounts due.

Refund of sums  
collected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That payments heretofore made on account of rental of quarters for enlisted men of the Army on duty with the National Guard and authorized by law to be furnished with quarters at Government expense, and payments heretofore made to said enlisted men of monetary allowances in lieu of rations which now stand disallowed, or would hereafter be disallowed but for this Act, on the ground of their relation to or connection with the aforesaid rental payments or transactions, are hereby ratified and validated as to the disbursing officers making the same, and the Comptroller General of the United States is hereby directed to allow credit in the accounts of said disbursing officers for and on account of all such payments: *Provided*, That such payments on account of rental of quarters for each enlisted man were not in excess of \$35 per month, the maximum rate authorized by law to be paid for rental of such quarters.

SEC. 2. Payments described in the first section hereof shall be, and the same are hereby, ratified and validated as to the military personnel concerned, in such amounts as are approved by the Secretary of War, whose determinations shall be final and conclusive: *Provided*, That nothing herein shall be construed to prevent the collection from military personnel concerned of any amount determined by the Secretary of War to be due to the United States.

SEC. 3. Any amounts collected from any person to reimburse the United States on account of payments which are herein validated shall be refunded to said person upon presentation of a claim, approved by the Secretary of War, to the Comptroller General who is authorized and directed to certify the same to the Congress for an appropriation to pay therefor.

Approved, August 20, 1937.

## [CHAPTER 718]

## AN ACT

To provide a surcharge on certain air mail carried in Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of February 21, 1925, as amended by the Act approved August 24, 1935 (U. S. C., 1934 edition, Supp. II, title 39, sec. 488), be, and it is hereby, amended to read as follows:

"The Postmaster General may provide difficult or emergency mail service in Alaska, at a total annual cost of not exceeding \$25,000, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor; and he is authorized, in his discretion, to contract, after advertisement in accordance with law, for the carriage of all classes of mail to, from, or within the Territory of Alaska, by airplane, payment therefor to be made from the appropriation for star-route service in Alaska: *Provided*, That the Postmaster General, in his discretion, may fix the postage for the mails carried, or any part thereof, by aircraft to, from, or within Alaska, at rates not exceeding in any case 30 cents per ounce or 15 cents per half ounce, notwithstanding the domestic air-mail rate authorized by the Act of June 12, 1934 (39 U. S. C., 463, 1934 edition)."

Approved, August 20, 1937.

August 20, 1937  
[H. R. 6167]  
[Public, No. 327]

Alaska, air mail.  
49 Stat. 744.  
39 U. S. C., Supp.  
II, § 488.

Emergency service.

Relay stations.

Contract for carriage of mail by airplane authorized.

*Proviso.*  
Rates of postage.

48 Stat. 933.  
39 U. S. C. § 463.

## [CHAPTER 719]

## AN ACT

To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph 6 of section 1 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(6) The term 'dealer' means any person engaged in the business of buying or selling in carloads any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a 'dealer' in respect of sales of any such commodity of his own raising; (B) no person buying any such commodity solely for sale at retail shall be considered as a 'dealer' in respect of any such commodity in any calendar year until his purchases of such commodity in carloads in such year are in excess of twenty; and (C) no person buying any such commodity for canning and/or processing within the State where grown shall be considered a 'dealer' whether or not the canned or processed product is to be shipped in interstate or foreign commerce, unless such product is frozen or packed in ice within the meaning of paragraph 4 of this section. Any person not considered as a 'dealer' under clauses (A), (B), and (C) may elect to secure a license under the provisions of section 3, and in such case and while the license is in effect such person shall be considered as a 'dealer'. As used in this paragraph, the term 'in carloads' includes wholesale or jobbing quantities as defined for any such commodity by the Secretary;".

SEC. 2. That subsection 5 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(5) For any commission merchant, dealer, or broker, for a fraudulent purpose, to misrepresent by word, act, mark, stencil, label,

August 20, 1937  
[H. R. 6762]  
[Public, No. 328]

Perishable Agricultural Commodities Act of 1930, amendments.

46 Stat. 531.  
7 U. S. C. § 490a (6).  
"Dealer" defined.

"In carloads."

46 Stat. 533.  
7 U. S. C. § 490b (5).

Unfair conduct.  
Misrepresentation.

statement, or deed the character, kind, grade, quality, condition, degree of maturity, or State or country of origin of any perishable agricultural commodity received, shipped, sold, or offered to be sold in interstate or foreign commerce."

46 Stat. 533.  
7 U. S. C. § 499b (6).

Removal of evidence of grade placed on containers, etc.

SEC. 3. That subsection 6 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(6) For any commission merchant, dealer, or broker, for a fraudulent purpose, to remove, alter, or tamper with any card, stencil, stamp, tag, or other notice placed upon any container or railroad car containing any perishable agricultural commodity, if such card, stencil, stamp, tag, or other notice contains a certificate or statement under authority of any Federal or State inspector or in compliance with any Federal or State law or regulation as to the grade or quality of the commodity contained in such container or railroad car or the State or country in which such commodity was produced."

New subsection.

SEC. 4. That section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended by adding a new subsection numbered 7 and reading as follows:

Substitution or otherwise changing contents after official inspection.

"(7) For any commission merchant, dealer, or broker, without the consent of an inspector, to make, cause, or permit to be made any change by way of substitution or otherwise in the contents of a load or lot of any perishable agricultural commodity after it has been officially inspected for grading and certification, but this shall not prohibit re-sorting and discarding inferior produce."

46 Stat. 533.  
7 U. S. C. § 499c.

Licenses; settlement of liability for violations.

SEC. 5. That section 3 (a) of the Perishable Agricultural Commodities Act, 1930, as amended, is amended by adding thereto the following:

"Any person violating this provision may, upon a showing satisfactory to the Secretary of Agriculture, or his authorized representative, that such violation was not willful but was due to inadvertence, be permitted by the Secretary, or such representative, to settle his liability in the matter by the payment of the fees due for the period covered by such violation and an additional sum, not in excess of \$25, to be fixed by the Secretary of Agriculture or his authorized representative. Such payment shall be deposited in the Treasury of the United States in the same manner as regular license fees."

46 Stat. 533.  
7 U. S. C. § 499d.

Issue and force of license.

SEC. 6. That section 4 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) Whenever an applicant has paid the prescribed fee the Secretary, except as provided elsewhere in this Act, shall issue to such applicant a license, which shall entitle the licensee to do business as a commission merchant and/or dealer and/or broker unless and until it is suspended or revoked by the Secretary in accordance with the provisions of this Act, or is automatically suspended under section 7 (d) of this Act, but said license shall automatically terminate on any anniversary date thereof unless the annual fee has been paid: *Provided*, That notice of the necessity of paying the annual fee shall be mailed at least thirty days before the anniversary date: *Provided further*, That if the annual fee is not paid by the anniversary date the licensee may obtain a renewal of that license at any time within thirty days by paying a fee of \$15;

Annual fee, payment of.

*Proviso.*  
Mailing of notice.

Renewal, if in arrears.

Causes for license refusal.  
Previous violation.  
49 Stat. 1533.  
7 U. S. C., Supp. II, § 499d (b).

"(b) The Secretary shall refuse to issue a license to an applicant (1) if he finds that the applicant has previously been responsible in whole or in part for any violation of the provisions of the Act for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office or,

in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (2) if at any time within two years he has found after notice and hearing that said applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (3) if he finds, in case the applicant is a partnership, association, or corporation, that any individual holding office or, in the case of a partnership, having any interest or share in the applicant, has previously been responsible in whole or in part for any violation of the provisions of the Act for which the license of such individual, or of any partnership, association, or corporation in which such person held any office, or, in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (4) if at any time within two years he has found after notice and hearing, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (5) if he finds that the applicant, subject to his right of appeal under section 7 (c), has failed, except in case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office, or, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7 (c), has failed, except in the case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual or against a partnership of which he was a member, or an association or corporation in which he held any office. Notwithstanding all of the foregoing provisions of this paragraph, the Secretary, in the case of such applicant, may issue a license if the applicant furnishes a bond or other satisfactory assurance that his business will be conducted in accordance with the provisions of the Act and that he will pay all reparation orders which may previously have been issued against him for violations, or which may be issued against him within two years following the date of the license, subject to his right of appeal under section 7 (c), but such license shall not be issued before the expiration of one year from the date of revocation of license or from the date of the Secretary's finding that the applicant has been responsible, in whole or in part, for any flagrant or repeated violation of section 2. Such bond shall be in an amount sufficient in the judgment of the Secretary of Agriculture to insure payment of such reparation orders;

"(c) The Secretary shall refuse to issue a license to an applicant if he finds after notice and hearing that at any time within two years said applicant has been found guilty in a Federal court of having violated the provisions of the Act known as the Produce Agency Act (7 U. S. C., secs. 491-497), or of having violated section 14 (b) of this Act, or, in case the applicant is a partnership, that any member of the partnership was found guilty within two years of having violated the Produce Agency Act, or section 14 (b) of this Act, or, if the applicant is an association or corporation, that any officer or any person holding a responsible position therein has been found within two years to have been guilty of violating the Produce Agency Act or section 14 (b) of this Act;

"(d) The Secretary may withhold the issuance of a license to an applicant, for a period not to exceed thirty days pending an investi-

Repeated, etc., violations.

Partnerships, etc. Member, etc., having previously had license revoked.

Member, etc., responsible for repeated violations.

Failure to pay reparation order.

Bankruptcy excepted.

Waiver of revocation and issue of license; bond.

Time limitation.

Refusal, if applicant found guilty of Produce Agency Act, etc., violations.  
7 U. S. C. §§ 491-497.

Withholding of license pending investigation.



**Hearing.** gation, for the purpose of determining (a) whether the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this Act, or (b) whether the application contains any materially false or misleading statement or involves any misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee of the applicant. If after investigation the Secretary believes that the applicant should be refused a license, the applicant shall be given an opportunity for hearing within sixty days from the date of the application to show cause why the license should not be refused. If after the hearing the Secretary finds that the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this Act, or because the application contains a materially false or misleading statement made by the applicant or by its representative on its behalf, or involves a misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee, the Secretary shall refuse to issue a license to the applicant."

46 Stat. 534.  
7 U. S. C. § 499e.

**Liability to person damaged.**

SEC. 7. That paragraph (a) of section 5 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) If any commission merchant, dealer, or broker violates any provision of section 2 he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation."

46 Stat. 534.  
7 U. S. C. § 499f.

**Complaint and investigation.**

SEC. 8. That paragraph (b) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(b) Any officer or agency of any State or Territory having jurisdiction over commission merchants, dealers, or brokers in such State or Territory and any employee of the United States Department of Agriculture or any interested person may file, in accordance with rules and regulations of the Secretary, a complaint of any violation of any provision of this Act by any commission merchant, dealer, or broker and may request an investigation of such complaint by the Secretary."

46 Stat. 534.  
7 U. S. C. § 499f (e).

**Complaints by non-residents.**

SEC. 9. That paragraph (e) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(e) In case a complaint is made by a nonresident of the United States, the complainant shall be required, before any formal action is taken on his complaint, to furnish a bond in double the amount of the claim conditioned upon the payment of costs, including a reasonable attorney's fee for the respondent if the respondent shall prevail, and any reparation award that may be issued by the Secretary of Agriculture against the complainant on any counter claim by respondent: *Provided*, That the Secretary shall have authority to waive the furnishing of a bond by a complainant who is a resident of a country which permits the filing of a complaint by a resident of the United States without the furnishing of a bond."

**Bond in double amount of claim, etc.**

**Proviso. Reciprocal waiver provision.**

46 Stat. 534.  
7 U. S. C. § 499g.

**Reparation order. Decision where hearing not required, or defendant fails to answer.**

SEC. 10. That section 7 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) If after a hearing on a complaint made by any person under section 6, or without hearing as provided in section 6, paragraphs (c) and (d), or upon failure of the party complained against to answer a complaint duly served within the time prescribed, or to appear at a hearing after being duly notified, the Secretary deter-

mines that the commission merchant, dealer, or broker has violated any provision of section 2, he shall, unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order;

“(b) If any commission merchant, dealer, or broker does not pay the reparation award within the time specified in the Secretary's order, the complainant, or any person for whose benefit such order was made, may within three years of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the commission merchant, dealer, or broker, or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. The orders, writs, and processes of the district courts may in these cases run, be served, and be returnable anywhere in the United States. Such suit in the district court shall proceed in all respects like other civil suits for damages, except that the findings and orders of the Secretary shall be prima-facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court, nor for costs at any subsequent state of the proceedings, unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit;

“(c) Either party adversely affected by the entry of a reparation order by the Secretary may, within thirty days from and after the date of such order, appeal therefrom to the district court of the United States for the district in which said hearing was held. Such appeal shall be perfected by the filing of a notice thereof together with a petition in duplicate which shall recite prior proceedings before the Secretary, and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with the clerk of said court with proof of service thereof upon the adverse party, together with a bond in double the amount of the reparation award conditioned upon the payment of the judgment entered by the court plus interest and costs, including a reasonable attorney's fee for the appellee, if the appellee shall prevail. The clerk of court shall immediately forward a copy thereof to the Secretary of Agriculture, who shall forthwith prepare, certify, and file in said court a true copy of the Secretary's decision, findings of fact, conclusions, and order in said case, together with copies of the pleadings upon which the case was heard and submitted to the Secretary. Such suit in the district court shall be a trial de novo and shall proceed in all respects like other civil suits for damages, except that the findings of fact and order or orders of the Secretary shall be prima-facie evidence of the facts therein stated. Appellee shall not be liable for costs in said court if appellee prevails he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of his costs. Such petition and pleadings certified by the Secretary upon which decision was made by him shall upon filing in the district court constitute the pleadings upon which said trial de novo shall proceed subject to any amendment allowed in that court;

“(d) Unless the licensee against whom a reparation order has been issued shows to the satisfaction of the Secretary within five days from the expiration of the period allowed for compliance with such order that he has either taken an appeal as herein authorized or has made payment in full as required by such order his license shall be suspended automatically at the expiration of such five-day period until

Suit by complainant to enforce payment.

Venue of action.

Jurisdiction.

Findings of Secretary as prima-facie evidence of facts.

Attorney's fee.

Appeal; proceedings.

Filing of petition, bond, etc.

Copy to Secretary of Agriculture.

Suit in district court to be a trial de novo.

Pleadings.

Suspension of license for failure to obey reparation order or to appeal.

*Proviso.*  
Effective if appeal  
dismissed, etc.

46 Stat. 535.  
7 U. S. C. § 499h.

Suspension or revo-  
cation, grounds for.

Licensee employing  
unlicensed employee,  
restriction.

License obtained  
through misrepresen-  
tation.

Injunction proceed-  
ings.

46 Stat. 537.  
7 U. S. C. § 499n.

Inspections; em-  
ployment of inspec-  
tors, etc.

he shows to the satisfaction of the Secretary that he has paid the amount therein specified with interest thereon to date of payment: *Provided*, That if on the appeal the appellee prevails or if the appeal is dismissed the automatic suspension of license shall become effective at the expiration of ten days from the date of the judgment on the appeal unless prior thereto the judgment of the court has been satisfied."

SEC. 11. That section 8 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) Whenever (a) the Secretary determines, as provided in section 6, that any commission merchant, dealer, or broker has violated any of the provisions of section 2, or (b) any commission merchant, dealer, or broker has been found guilty in a Federal court of having violated section 14 (b) of this Act, the Secretary may publish the facts and circumstances of such violation and/or, by order, suspend the license of such offender for a period not to exceed ninety days, except that, if the violation is flagrant or repeated, the Secretary may, by order, revoke the license of the offender;

"(b) The Secretary may, after thirty days' notice and an opportunity for a hearing, revoke the license of any commission merchant, dealer, or broker who, after the date given in such notice, continues to employ in any responsible position any individual whose license was revoked or who was responsibly connected with any firm, partnership, association, or corporation whose license has been revoked. Employment of such individual by a licensee in any responsible position after one year following the revocation of any such license shall be conditioned upon the filing by the employing licensee of a bond, in such reasonable sum as may be fixed by the Secretary, or other assurance satisfactory to the Secretary that its business will be conducted in accordance with the provisions of this Act;

"(c) If, after a license shall have been issued to an applicant, the Secretary believes that the license was obtained through a false or misleading statement in the application therefor or through a misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee, he may, after thirty days' notice and an opportunity for a hearing, revoke said license, whereupon no license shall be issued to said applicant or any applicant in which the person responsible for such false or misleading statement or misrepresentation, concealment, or withholding of facts is financially interested, except under the conditions set forth in paragraph (b) of section 4.

"(d) In addition to being subject to the penalties provided by section 3 (a) of this Act, any commission merchant, dealer, or broker who engages in or operates such business without a valid and effective license from the Secretary shall be liable to be proceeded against in any court of competent jurisdiction in a suit by the United States for an injunction to restrain such defendant from further continuing so to engage in or operate such business, and, if the court shall find that the defendant is continuing to engage in such business without a valid and effective license, the court shall issue an injunction to restrain such defendant from continuing to engage in or to operate such business without such license."

SEC. 12. That section 14 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) The Secretary is hereby authorized, independently and in cooperation with other branches of the Government, State, or municipal agencies and/or any person, whether operating in one or more jurisdictions, to employ and/or license inspectors to inspect and certify, without regard to the filing of a complaint under this Act,

to any interested person the class, quality, and/or condition of any lot of any perishable agricultural commodity when offered for interstate or foreign shipment or when received at places where the Secretary shall find it practicable to provide such service, under such rules and regulations as he may prescribe, including the payment of such fees and expenses as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That fees for inspections made by a licensed inspector, less the percentage thereof which he is allowed by the terms of his contract of employment with the Secretary as compensation for his services, shall be deposited into the Treasury of the United States as miscellaneous receipts; and fees for inspections made by an inspector acting under a cooperative agreement with a State, municipality, or other person shall be disposed of in accordance with the terms of such agreement: *Provided further*, That expenses for travel and subsistence incurred by inspectors shall be paid by the applicant for inspection to the United States Department of Agriculture to be credited to the appropriation for carrying out the purposes of this Act: *And provided further*, That official inspection certificates for fresh fruits and vegetables issued by the Secretary of Agriculture pursuant to any law shall be received by all officers and all courts of the United States, in all proceedings under this Act, and in all transactions upon contract markets under Commodities Exchange Act (7 U. S. C., Supp. 2, secs. 1 to 17 (a)), as prima-facie evidence of the truth of the statements therein contained;

“(b) Whoever shall falsely make, issue, alter, forge, or counterfeit, or cause or procure to be falsely made, issued, altered, forged, or counterfeited, or willingly aid, cause, procure or assist in, or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate of inspection issued under authority of this Act, the Produce Agency Act of March 3, 1927 (7 U. S. C., sec. 491-497), or any Act making appropriations for the Department of Agriculture; or shall utter or publish as true or cause to be uttered or published as true any such false, forged, altered, or counterfeited certificate, for a fraudulent purpose, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500 or by imprisonment for a period of not more than one year, or both, at the discretion of the court.

Approved, August 20, 1937.

## [CHAPTER 720]

### AN ACT

To authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of improving navigation on the Columbia River, and for other purposes incidental thereto, the dam, locks, power plant, and appurtenant works now under construction at Bonneville, Oregon and North Bonneville, Washington (hereinafter called Bonneville project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this Act relating to the powers and duties of the Bonneville power administrator provided for in section 2 (a) (hereinafter called the administrator) respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Bonneville project such machinery, equipment, and

Fees and expenses for services.

*Provisos.*  
Disposition of, collected by licensed inspector.

By other inspectors.

Travel and subsistence, inspectors; payment by applicant.

Official inspection certificates, effect of.

49 Stat. 1491.  
7 U. S. C., Supp. II, §§ 1-17a.

Forging or counterfeiting of certificates.

44 Stat. 1355.  
7 U. S. C. §§ 491-497.

Punishment.

August 20, 1937  
[H. R. 7642]  
[Public, No. 329]

Bonneville project. General purposes declared.

Completion, maintenance and operation under Secretary of War.

facilities for the generation of electric energy as the administrator may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith shall be delivered to the administrator, for disposition as provided in this Act.

Disposal of electric energy.

Administrator; appointment, salary, office.

Sale, etc., of surplus energy.

Consultation with an advisory board.

Form of administration provisional.

Additional facilities authorized.

Station space and equipment.

Encouragement of widest use of energy; prevention of monopolization, etc.

Acquisition of real and personal property.

SEC. 2. (a) The electric energy generated in the operation of the said Bonneville project shall be disposed of by the said administrator as hereinafter provided. The administrator shall be appointed by the Secretary of the Interior; shall be responsible to said Secretary of the Interior; shall receive a salary at the rate of \$10,000 per year; and shall maintain his principal office at a place selected by him in the vicinity of the Bonneville project. The administrator shall, as hereinafter provided, make all arrangements for the sale and disposition of electric energy generated at Bonneville project not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith. He shall act in consultation with an advisory board composed of a representative designated by the Secretary of War, a representative designated by the Secretary of the Interior, a representative designated by the Federal Power Commission, and a representative designated by the Secretary of Agriculture. The form of administration herein established for the Bonneville project is intended to be provisional pending the establishment of a permanent administration for Bonneville and other projects in the Columbia River Basin. The Secretary of War shall install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Bonneville project when in the judgment of the administrator such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electrical generating units and appurtenant equipment of the Bonneville project in accordance with the requirements of the administrator. The Secretary of War shall provide and maintain for the use of the administrator at said Bonneville project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the administrator for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the administrator for the transmission of such energy from that place at suitable voltage to the markets which the administrator desires to serve.

(b) In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the administrator is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with other Federal projects and publicly owned power systems now or hereafter constructed.

(c) The administrator is authorized, in the name of the United States, to acquire, by purchase, lease, condemnation, or donation, such real and personal property, or any interest therein, including lands, easements, rights-of-way, franchises, electric transmission lines, sub-

stations, and facilities and structures appurtenant thereto, as the administrator finds necessary or appropriate to carry out the purposes of this Act. Title to all property and property rights acquired by the administrator shall be taken in the name of the United States.

(d) The administrator shall have power to acquire any property or property rights, including patent rights, which in his opinion are necessary to carry out the purposes of this Act, by the exercise of the right of eminent domain and to institute condemnation proceedings therefor in the same manner as is provided by law for the condemnation of real estate.

(e) The administrator is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes of this Act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this Act: *Provided, however,* That before the sale, lease, or disposition of real property or transmission lines, as herein provided, the administrator shall secure the approval of the President of the United States.

(f) Subject to the provisions of this Act, the administrator is authorized, in the name of the United States, to negotiate and enter into such contracts, agreements, and arrangements as he shall find necessary or appropriate to carry out the purposes of this Act.

SEC. 3. As employed in this Act, the term "public body", or "public bodies", means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof.

As employed in this Act, the term "cooperative", or "cooperatives", means any form of non-profit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

SEC. 4. (a) In order to insure that the facilities for the generation of electric energy at the Bonneville project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the administrator shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

(b) To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in section (a) and to effectuate the intent and purpose of this Act that at all times up to January 1, 1941, there shall be available for sale to public bodies and cooperatives not less than 50 per centum of the electric energy produced at the Bonneville project, it shall be the duty of the administrator in making contracts for the sale of such energy to so arrange such contracts as to make such 50 per centum of such energy available to said public bodies and cooperatives until January 1, 1941: *Provided,* That the electric energy so reserved for but not actually purchased by and delivered to such public bodies and cooperatives prior to January 1, 1941, may be disposed of temporarily so long as such temporary disposition will not interfere with the purchase by and delivery to such public bodies and cooperatives at any time prior to January 1, 1941: *Provided further,* That nothing herein contained shall be construed to limit or impair the preferential and priority rights of such public bodies or cooperatives after January 1, 1941; and in the event that after such date there shall be conflicting or competing applications for an allocation of electric energy between any public body or cooperative on the one hand and a private agency of any character on the other, the application of such public body or cooperative shall be granted.

Title.

Eminent domain.

Disposal of personal property.

Real property, etc.

*Proviso.*  
Approval.

Contracts, etc., authorized.

Terms defined.  
"Public body";  
"public bodies"."Cooperative";  
"cooperatives".Disposal of power;  
preferences, etc.Sale to public bodies  
and cooperatives;  
amount available.*Proviso.*  
Disposal of unused  
reserve.Preferential rights  
after January 1, 1941.

Applications for allocations by public bodies, etc.

Private corporations.

Preferential status of public bodies, etc.

Opportunity to perfect organization, financing, etc.

Negotiation of contracts for sale of power at wholesale for resale or direct consumption.

Resale to privately owned public utility, restriction.

Terms, etc.

Renewals.

Adjustment of rates.

Cancellation provision.

Terms and conditions of contracts.

(c) An application by any public body or cooperative for an allocation of electric energy shall not be denied, or another application competing or in conflict therewith be granted, to any private corporation, company, agency, or person, on the ground that any proposed bond or other security issue of any such public body or cooperative, the sale of which is necessary to enable such prospective purchaser to enter into the public business of selling and distributing the electric energy proposed to be purchased, has not been authorized or marketed, until after a reasonable time, to be determined by the administrator, has been afforded such public body or cooperative to have such bond or other security issue authorized or marketed.

(d) It is declared to be the policy of the Congress, as expressed in this Act, to preserve the said preferential status of the public bodies and cooperatives herein referred to, and to give to the people of the States within economic transmission distance of the Bonneville project reasonable opportunity and time to hold any election or elections or take any action necessary to create such public bodies and cooperatives as the laws of such States authorize and permit, and to afford such public bodies or cooperatives reasonable time and opportunity to take any action necessary to authorize the issuance of bonds or to arrange other financing necessary to construct or acquire necessary and desirable electric distribution facilities, and in all other respects legally to become qualified purchasers and distributors of electric energy available under this Act.

SEC. 5. (a) Subject to the provisions of this Act and to such rate schedules as the Federal Power Commission may approve, as hereinafter provided, the administrator shall negotiate and enter into contracts for the sale at wholesale of electric energy, either for resale or direct consumption, to public bodies and cooperatives and to private agencies and persons. Contracts for the sale of electric energy to any private person or agency other than a privately owned public utility engaged in selling electric energy to the general public, shall contain a provision forbidding such private purchaser to resell any of such electric energy so purchased to any private utility or agency engaged in the sale of electric energy to the general public, and requiring the immediate canceling of such contract of sale in the event of violation of such provision. Contracts entered into under this subsection shall be binding in accordance with the terms thereof and shall be effective for such period or periods, including renewals or extensions, as may be provided therein, not exceeding in the aggregate twenty years from the respective dates of the making of such contracts. Contracts entered into under this subsection shall contain (1) such provisions as the administrator and purchaser agree upon for the equitable adjustment of rates at appropriate intervals, not less frequently than once in every five years, and (2) in the case of a contract with any purchaser engaged in the business of selling electric energy to the general public, the contract shall provide that the administrator may cancel such contract upon five years' notice in writing if in the judgment of the administrator any part of the electric energy purchased under such contract is likely to be needed to satisfy the requirements of the said public bodies or cooperatives referred to in this Act, and that such cancellation may be with respect to all or any part of the electric energy so purchased under said contract to the end that the preferential rights and priorities accorded public bodies and cooperatives under this Act shall at all times be preserved. Contracts entered into with any utility engaged in the sale of electric energy to the general public shall contain such terms and conditions, including among other things stipulations concerning resale and resale rates by any such utility, as the administrator

may deem necessary, desirable or appropriate to effectuate the purposes of this Act and to insure that resale by such utility to the ultimate consumer shall be at rates which are reasonable and nondiscriminatory. Such contract shall also require such utility to keep on file in the office of the administrator a schedule of all its rates and charges to the public for electric energy and such alterations and changes therein as may be put into effect by such utility.

(b) The administrator is authorized to enter into contracts with public or private power systems for the mutual exchange of unused excess power upon suitable exchange terms for the purpose of economical operation or of providing emergency or break-down relief.

SEC. 6. Schedules of rates and charges for electric energy produced at the Bonneville project and sold to purchasers as in this Act provided shall be prepared by the administrator and become effective upon confirmation and approval thereof by the Federal Power Commission. Subject to confirmation and approval by the Federal Power Commission, such rate schedules may be modified from time to time by the administrator, and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rates or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Bonneville project.

SEC. 7. It is the intent of Congress that rate schedules for the sale of electric energy which is or may be generated at the Bonneville project in excess of the amount required for operating the dam, locks, and appurtenant works at said project shall be determined with due regard to and predicated upon the fact that such electric energy is developed from water power created as an incident to the construction of the dam in the Columbia River at the Bonneville project for the purposes set forth in section 1 of this Act. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of Bonneville project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment over a reasonable period of years. Rate schedules shall be based upon an allocation of costs made by the Federal Power Commission. In computing the cost of electric energy developed from water power created as an incident to and a byproduct of the construction of the Bonneville project, the Federal Power Commission may allocate to the costs of electric facilities such a share of the cost of facilities having joint value for the production of electric energy and other purposes as the power development may fairly bear as compared with such other purposes.

SEC. 8. Notwithstanding any other provision of law, all purchases and contracts made by the administrator or the Secretary of War for supplies or for services except for personal services, shall be made after advertising, in such manner and at such times, sufficiently in advance of opening bids, as the administrator or Secretary of War, as the case may be, shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed \$500; in which cases such purchases of supplies or procurement of services may be made in the

Records required.

Contracts for mutual exchange of excess power; terms, etc.

Schedules of rates, etc.

Modifications.

Uniformity.

Rates predicated on fact that power created is an incident to dam construction.

Rates applied to costs of production and transmission, including amortization of capital investment.

Allocation of costs.

Purchases and contracts.

Advertising; opening of bids.

Emergencies.  
Repair parts, etc.

Minor purchases.



## Qualifications.

open market in the manner common among businessmen. In comparing bids and in making awards, the administrator or the Secretary of War, as the case may be, may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

## Accounts of operations.

SEC. 9. (a) The administrator, subject to the requirements of the Federal Water Power Act, shall keep complete and accurate accounts of operations, including all funds expended and received in connection with transmission and sale of electric energy generated at the Bonneville project.

## Expenditures.

(b) The administrator may make such expenditures for offices, vehicles, furnishings, equipment, supplies, and books; for attendance at meetings; and for such other facilities and services as he may find necessary for the proper administration of this Act.

## Financial, etc., report to Congress.

(c) In December of each year, the administrator shall file with the Congress, through the Secretary of the Interior, a financial statement and a complete report as to the transmission and sale of electric energy generated at the Bonneville project during the preceding governmental fiscal year.

## Experts; salary restriction.

SEC. 10. The administrator, the Secretary of War, and the Federal Power Commission, respectively, shall appoint such attorneys, engineers, and other experts as may be necessary for carrying out the functions entrusted to them under this Act, without regard to the provisions of the civil-service laws and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed \$7,500 per annum; and they may, subject to the civil-service laws, appoint such other officers and employees as may be necessary to carry out such functions and fix their salaries in accordance with the Classification Act of 1923 as amended.

## Other personal services.

## Receipts covered in; exception.

SEC. 11. All receipts from transmission and sale of electric energy generated at the Bonneville project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from such receipts a continuing fund of \$500,000, to the credit of the administrator and subject to check by him, to defray emergency expenses and to insure continuous operation. There is hereby authorized to be appropriated from time to time, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act, including installation of equipment and machinery for the generation of electric energy and facilities for its transmission and sale.

## Emergency expenses, etc. Appropriations authorized. Post, p. 764.

## Suits necessary for execution of Act authorized.

SEC. 12. The administrator may, in the name of the United States, under the supervision of the Attorney General, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this Act; and he shall be represented in the prosecution and defense of all litigation affecting the status or operation of Bonneville project by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such attorney or attorneys as the Attorney General may designate as authorized by law, in conjunction with the regularly employed attorneys of the administrator.

## Separability provision.

SEC. 13. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Approved, August 20, 1937.

## [CHAPTER 721]

## AN ACT

To exempt State liquor-dispensing systems from the requirement of keeping certain records and rendering transcripts and summaries of entries with respect to distilled spirits.

August 20, 1937

[H. R. 7949]

[Public, No. 330]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3318 of the Revised Statutes, as amended (U. S. C., 1934 edition, Supp. II, title 26, secs. 1208 and 1209) (relating to keeping entry books with respect to distilled spirits and rendering transcripts and summaries thereof), is amended by adding at the end thereof the following new paragraph:

"The provisions of this section shall not apply to States and Commonwealths and liquor stores operated by such States and Commonwealths that maintain and make available to inspection by internal-revenue officers such records as will enable such officers to readily trace all distilled spirits received and disposed of by them: *Provided*, That such States and Commonwealths, and the liquor stores operated by them, shall, upon the request of the Commissioner of Internal Revenue, furnish to the Commissioner such transcripts, summaries, and copies of their records as he shall require."

Approved, August 20, 1937.

Internal revenue.  
R. S. § 3318.  
26 U. S. C., Supp.  
II, §§ 1208, 1209.

State liquor-dispensing systems; exemption from keeping certain records.

*Proviso.*  
Furnishing of transcripts, etc., on request.

## [CHAPTER 725]

## AN ACT

To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects.

August 21, 1937

[S. 413]

[Public, No. 331]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby created a commission to be composed of three members appointed by the Secretary of the Interior, all of whom shall have an intimate knowledge of irrigation farming but who shall not be employees of the Bureau of Reclamation or the Bureau of Indian Affairs of the Department of the Interior, and shall have no financial interest in the matters coming under their jurisdiction. The commission is authorized and directed to investigate the financial, economic, and other conditions of the various United States and Indian reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water users, district, association, or other reclamation organization liable for such charges. Such investigation shall include an examination and consideration of any statement filed with the commission, or the Department of the Interior, by any such district, association, or other reclamation organization, or the water users thereof, and, where deemed advisable by the commission and requested by such district, association, or other reclamation organization, said commission may proceed to such project and hold hearings, the proceedings of which shall be reduced to writing and filed with its reports. Said commission, after having made careful investigation and study of the financial, economic, and other conditions of the various United States and Indian reclamation projects and their probable present and future ability to meet such water-right charges, shall report to the Congress as soon as practicable, with its recommendations as to the best, most feasible, and practicable comprehensive permanent plan for such water-right payments with due consideration for the development and carrying on of the reclamation program of the United States, and having par-

United States and Indian reclamation projects.  
Commission created to investigate financial, etc., conditions.

Ability to pay water right charges.

Scope of investigation.

Report and recommendations to Congress.

Appropriation au-  
thorized for expenses.  
*Post*, p. 764.

Personal services.  
5 U. S. C. §§ 631-  
652; 661-674.

Extension of time  
for payment where  
conditions justify.

Sections repealed.  
49 Stat. 1206, 1207.

ticularly in mind the probable ability of such water users, districts, associations, or other reclamation organizations to meet such water-right charges regularly and fully from year to year during periods of prosperity and good prices for agricultural products as well as during periods of decline in agricultural income and unsatisfactory conditions of agriculture.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$30,000, which shall be available for expenditure, as the Secretary of the Interior may direct, for expenses and all necessary disbursements, including salaries, in carrying out the provisions of this Act. The commission is authorized to appoint and fix the compensation of such employees as may be necessary for carrying out its functions under this Act without regard to civil-service laws or the Classification Act of 1923, as amended.

SEC. 3. If upon investigation the commission shall find that a project, because of partial crop failure due to a water shortage or other causes beyond the control of the water users, is unable to make full payment of the construction charges becoming due and payable for the calendar year 1937, without great hardship or undue burden, the commission is hereby authorized to certify that fact to the Secretary and such certification<sup>1</sup>, if approved by said Secretary, shall operate to grant an extension of time for the payment of such proportion of the construction charges due for the calendar year 1937 as the commission considers just and equitable, the proportion of the charges so extended to be paid at such time as the Secretary may determine.

SEC. 4. Sections 1 and 2 of the Act approved April 14, 1936 (Public, Numbered 519, Seventy-fourth Congress), are hereby repealed.

Approved, August 21, 1937.

## [CHAPTER 726]

### AN ACT

August 21, 1937  
[S. 1551]

[Public, No. 332]

To amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to the collection of State taxes.

Judicial Code,  
amendment.

United States dis-  
trict courts.

Jurisdiction over  
suits relating to State  
tax assessment.

36 Stat. 1091.

28 U. S. C. § 41.

Pending suits not  
affected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first paragraph of section 24 of the Judicial Code, as amended, is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this paragraph, no district court shall have jurisdiction of any suit to enjoin, suspend, or restrain the assessment, levy, or collection of any tax imposed by or pursuant to the laws of any State where a plain, speedy, and efficient remedy may be had at law or in equity in the courts of such State."

SEC. 2. The provisions of this Act shall not affect suits commenced in the district courts, either originally or by removal, prior to its passage; and all such suits shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this Act had not been passed.

Approved, August 21, 1937.

<sup>1</sup> So in original.

## [CHAPTER 727]

## AN ACT

To authorize the revision of the boundaries of the Snoqualmie National Forest, in the State of Washington.

August 21, 1937

[S. 1696]

[Public, No. 333]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, subject to any valid existing claim or entry, all lands of the United States within the areas hereafter described are hereby added to and made part of the Snoqualmie National Forest, State of Washington, to be hereafter administered under the laws and regulations relating to the national forests; and the provisions of the Act approved March 20, 1922 (42 Stat. 465), as amended, are hereby extended and made applicable to all other lands within said described areas:

Snoqualmie National Forest, Wash.  
Lands added.

42 Stat. 465.

Description.

Township 21 north, range 7 east, sections 1, 12, 13, 24, 25, and 36. All of township 21 north, range 8 east. Township 20 north, range 7 east, sections 1 and 12. Township 20 north, range 8 east, sections 1 to 18, inclusive, and sections 20 to 24, inclusive. Township 20 north, range 9 east, sections 7 to 15, inclusive. Township 20 north, range 10 east, sections 7, 13, 17 to 24, inclusive, 27, 28, and 29. Township 20 north, range 11 east, sections 17, 18, and 19.

Also lands not now within the national forest within the following townships:

Township 27 north, range 10 east; township 26 north, range 10 east; township 26 north, range 11 east; township 26 north, range 12 east.

Part of township 27 north, range 9 east, including those portions of the following sections not now within the national forest:

Sections 10, 11, 12, 13, 14, 15, 22, north half 23, and north half 24. All Willamette base and meridian.

Approved, August 21, 1937.

## [CHAPTER 728]

## AN ACT

To amend section 77 of the Judicial Code, as amended, to create a Brunswick division in the southern district of Georgia, with terms of court to be held at Brunswick.

August 21, 1937

[S. 1816]

[Public, No. 334]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsections (f) and (g) of section 77 of the Judicial Code, as amended, are amended to read as follows:

Judicial Code,  
amendments,  
28 U. S. C. § 100  
(f), (g).

“(f) The southern district shall include five divisions, to be constituted as follows: The Augusta division, which shall include the territory embraced on January 1, 1925, in the counties of Burke, Columbia, Glascock, Jefferson, Lincoln, McDuffie, Richmond, Taliaferro, Warren, and Wilkes; the Dublin division, which shall include the territory embraced on such date in the counties of Dodge, Emanuel, Johnson, Laurens, Montgomery, Telfair, Toombs, Treutlen, and Wheeler; the Savannah division, which shall include the territory embraced on such date in the counties of Bryan, Bulloch, Candler, Chatham, Effingham, Evans, Jenkins, Liberty, Screven, and Tattnall; the Waycross division which shall include the territory embraced on such date in the counties of Atkinson, Bacon, Ben Hill, Brantley, Charlton, Coffee, Pierce, and Ware; and the Brunswick division, which shall include the territory embraced on such date in the counties of Appling, Camden, Glynn, Jeff Davis, Long, McIntosh, and Wayne.

Georgia southern  
judicial district,  
Augusta division.

Dublin division.

Savannah division.

Waycross division.

Brunswick division.

Terms.

*Provisos.*  
Court accommodations.

Quarters at Brunswick, no Federal expense.

Middle district, Valdosta division, Clinch County added.

28 U. S. C. § 150 (d).

“(g) The terms of the district court for the Augusta division shall be held at Augusta on the first Monday in April and the third Monday in November; for the Dublin division at Dublin on the third Mondays in January and June: *Provided*, That suitable rooms and accommodations are furnished for holding court at Dublin, free of cost to the Government, until a public building shall have been erected or put into proper condition for such purpose in said city; for the Savannah division at Savannah on the second Tuesdays in February, May, August, and November; for the Waycross division at Waycross on the second Mondays in June and December; for the Brunswick division at Brunswick on the second Mondays in March and October: *Provided*, That no cost shall be incurred by the Government in furnishing quarters for holding court at Brunswick.”

SEC. 2. Subsection (d) of section 77 of the Judicial Code, as amended, is amended by inserting after the name “Berrien” a comma and the name “Clinch”.

Approved, August 21, 1937.

[CHAPTER 729]

JOINT RESOLUTION

August 21, 1937  
[H. J. Res. 385]  
[Pub. Res., No. 66]

Authorizing the President to invite the States of the Union and foreign countries to participate in the Oil World Exposition at Houston, Texas, to be held October 11 to 16, 1937, inclusive.

Oil World Exposition, 1937.

President authorized to invite the States of the Union and foreign countries to participate.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed Oil World Exposition, to be held at Houston, Texas, from October 11 to 16, 1937, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries produced by the petroleum industry; and the exhibiting of the tools and equipment used by the industry; and bringing together buyers and sellers for promotion of trade and commerce in such products.

Dutiable articles imported for exhibition, etc., admitted free, under regulations.

SEC. 2. That all articles which shall be imported from foreign countries for the purpose of exhibition at the Oil World Exposition, to be held at Houston, Texas, from October 11 to 16, 1937, inclusive, by the Oil World Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements

Sales permitted.

*Provisos.*  
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouse under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Oil World Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by the Oil World Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930.

SEC. 3. That the Government of the United States is not by this resolution obligated to any expense in connection with the holding of such exposition.

Approved, August 21, 1937.

# [CHAPTER 731]

## AN ACT

To authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the West Point Military Reservation, New York, for the construction thereon of certain public buildings, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to make transfers to the jurisdiction and control of the Secretary of the Treasury of such portions of the property at present included within the West Point Military Reservation, New York, and upon such conditions as may be mutually agreed upon by the Secretary of War and the Secretary of the Treasury. The Secretary of the Treasury is hereby authorized to construct within the limits of the property so transferred such building or buildings, appurtenances, and approaches thereto as he may deem adequate and suitable for the use of the Treasury Department as a depository, and for use in carrying out any other functions or duties of the Treasury Department: *Provided*, That upon cessation of such use the premises or any part thereof so transferred shall revert to the jurisdiction of the War Department.

Approved, August 21, 1937.

Abandoned articles.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of receipts as refunds.  
46 Stat. 741.  
19 U. S. C. § 1524.

No Federal obligation assumed.

August 21, 1937  
[S. 2751]

[Public, No. 335]

West Point Military Reservation, N. Y.  
Jurisdiction over portions, transferred to Treasury Department for public building construction.

*Proriso.*  
Reversionary provision.

## [CHAPTER 732]

## AN ACT

August 21, 1937

[H. R. 2014]

[Public, No. 336]

Everglades Na-  
tional Park, Fla.  
48 Stat. 816.  
16 U. S. C. § 410b.

Provision prohib-  
iting expenditure of  
public moneys elimi-  
nated.

To amend an Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934, be, and the same is hereby, amended by striking therefrom the following words: "*And provided further,* That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act."

Approved, August 21, 1937.

## [CHAPTER 733]

## AN ACT

August 21, 1937

[H. R. 7127]

[Public, No. 337]

International Pe-  
troleum Exposition,  
Tulsa, Okla.

President author-  
ized to invite the  
States of the Union  
and foreign countries  
to participate.

Dutiable articles  
imported for exhibi-  
tion, etc., admitted  
free, under regula-  
tions.

Sales permitted.

*Provisos.*  
Duty on articles  
withdrawn.

Deterioration allow-  
ance.

Marking require-  
ments.

Abandoned articles.

Authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 14 to May 21, 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed International Petroleum Exposition, to be held at Tulsa, Oklahoma, from May 14, 1938, to May 21, 1938, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

Sec. 2. All articles which shall be imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of

<sup>1</sup> So in original.

the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law, and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Petroleum Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the International Petroleum Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

SEC. 3. That the Government of the United States is not by this Act obligated to any expense in connection with the holding of such exposition and is not hereafter to be obligated other than for suitable representation thereat.

Approved, August 21, 1937.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of receipts as refunds.  
46 Stat. 741.  
19 U. S. C. § 1524.

No Federal obligation assumed.

## [CHAPTER 735]

### AN ACT

To extend further time for naturalization to alien veterans of the World War under the Act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

August 23, 1937  
[H. R. 4291]  
[Public, No. 338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subdivision (a) of section 1 of the Act entitled "An Act to further amend the naturalization laws, and for other purposes", approved May 25, 1932 (47 Stat. 165; U. S. C., Supp. VII, title 8, sec. 392b (a)), shall, as herein amended, continue in force and effect to include petitions for citizenship filed prior to May 25, 1938, with any court having naturalization jurisdiction: *Provided*, That for the purposes of this Act clause (1) of subdivision (a) of section 1 of the aforesaid Act of May 25, 1932, is amended by striking out the words "all such period" and in lieu thereof inserting the words "the five years immediately preceding the filing of his petition."

SEC. 2. The provisions of section 1 of this Act are hereby extended to include any alien lawfully admitted into the United States for permanent residence who departed therefrom between August 1914 and April 5, 1917, or who departed therefrom subsequent to April 5, 1917, for the purpose of serving, and actually served prior to November 11, 1918, in the military or naval forces of any of the countries allied with the United States in the World War and was discharged from such service under honorable circumstances: *Provided*, That before any applicant for citizenship under this section is admitted to citizenship, the court shall be satisfied by competent proof that he is entitled to and has complied in all respects with the provisions of

Naturalization of alien veterans residing in the United States.  
47 Stat. 165.  
8 U. S. C. § 392b (a);  
Supp. II, § 392b (a).  
Extension of privileges to May 25, 1938.

*Proviso.*  
Continuous residence and good behavior provisions.

Service in allied forces.

*Proviso.*  
Terms, conditions, etc.



this Act; and that he was and had been a bona fide lawfully admitted resident in the United States for two years before the passage of this Act.

Rules to be pre-  
scribed.

SEC. 3. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this Act.

Approved, August 23, 1937.

[CHAPTER 736]

AN ACT

August 23, 1937

[H. R. 4582]

[Public, No. 339]

To amend the Act, approved August 4, 1919, as amended, providing additional aid for the American Printing House for the Blind.

American Printing  
House for the Blind.  
41 Stat. 272.  
20 U. S. C. § 101.

Annual appropri-  
ations increased.  
*Post*, p. 775.

20 Stat. 467.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act providing additional aid for the American Printing House for the Blind", approved August 4, 1919, as amended, is hereby amended to read as follows:

"That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind, there is hereby authorized to be appropriated annually to it, in addition to the permanent appropriation of \$10,000 made in the Act entitled 'An Act to promote the education of the Blind', approved March 3, 1879, as amended, the sum of \$115,000, which sum shall be expended in accordance with the requirements of said Act to promote the education of the blind."

Approved, August 23, 1937.

[CHAPTER 737]

AN ACT

August 23, 1937

[H. R. 6208]

[Public, No. 340]

To amend an Act of Congress entitled "An Act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936, by changing the times provided therein for holding the United States district court at various places now fixed by law in the State of West Virginia.

West Virginia  
northern and south-  
ern judicial districts.  
Terms of court.  
Northern district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the present district judge for the northern district of West Virginia shall hold regular terms of court in such northern district at the following places and times, that is to say:

(a) At the city of Martinsburg on the first Tuesday in April and the fourth Tuesday in September in each year;

(b) At the city of Wheeling on the third Tuesdays in April and October in each year;

(c) At the city of Elkins on the first Tuesday in June and the third Tuesday in November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

Special terms.

Southern district.

The present district judge for the southern district of West Virginia shall hold regular terms of court in said southern district at the following times and places, that is to say:

(a) At the city of Bluefield on the third Tuesdays in January and June in each year;

(b) At the city of Lewisburg on the first Tuesdays in March and September in each year;

(c) At the city of Charleston on the second Tuesday in April and on the third Tuesday in November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

Special terms.

The district judge for the said northern and southern districts of West Virginia, appointed under the Act approved June 22, 1936, shall hold regular terms of court in said northern and southern districts at the following places and times, that is to say:

Judge for northern and southern districts, terms of court.  
49 Stat. 1805.

(a) At the city of Clarksburg in said northern district on the first Tuesday in January and on the fourth Tuesday in August in each year;

(b) At the city of Parkersburg in said northern district on the third Tuesday in March and on the first Tuesday in October in each year;

(c) At the city of Huntington in said southern district on the second Tuesday in May and on the third Tuesday in October in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

Special terms.

Approved, August 23, 1937.

#### [CHAPTER 738]

#### AN ACT

Authorizing State Highway Commission of Arkansas and State Highway Commission of Mississippi to construct, maintain, and operate a toll bridge across the Mississippi River at or near Lake Village, Chicot County, Arkansas, and to a place at or near Greenville, Washington County, Mississippi.

August 23, 1937  
[H. R. 7849]  
[Public, No. 341]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Arkansas State Highway Commission and Mississippi State Highway Commission, cooperating with equal powers, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Lake Village, Chicot County, Arkansas, and to a place at or near Greenville, Washington County, Mississippi, in accordance with the provisions of the Act entitled, "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mississippi River.  
Bridge authorized across, Lake Village, Ark., to Greenville, Miss.

SEC. 2. There is hereby conferred upon Arkansas State Highway Commission and Mississippi State Highway Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

Acquisition of approaches, etc.

Condemnation proceedings.

SEC. 3. The State Highway Commission of Arkansas and State Highway Commission of Mississippi are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.  
34 Stat. 85.  
33 U. S. C. § 494.

Tolls applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenses and receipts.

Amendment.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 25 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1937.

#### [CHAPTER 739]

#### AN ACT

August 23, 1937

[H. R. 8167]

[Public, No. 342]

Delaware River.  
Time extended for  
bridging, Barryville,  
N. Y., to Shohola, Pa.

49 Stat. 1531.

Amendment.

To extend the times for commencing and completing the construction of a bridge across the Delaware River between the village of Barryville, New York, and the village of Shohola, Pennsylvania.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the highway bridge across the Delaware River between points in the village of Barryville, Sullivan County, New York, and the village of Shohola, Pike County, Pennsylvania, authorized to be built by the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania, by an Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from June 19, 1937.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1937.

#### [CHAPTER 741]

#### AN ACT

August 24, 1937

[S. 1216]

[Public, No. 343]

Montana.  
Conveyance of cer-  
tain lands to, for pub-  
lic park, etc., pur-  
poses.

Authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to convey to the State of Montana, upon the conditions and limitations hereinafter expressed, the following-described land of the United States in the State of Montana, to be held and used by such State for the purposes of a State public park and recreational site:

#### MONTANA PRINCIPAL MERIDIAN

Description.

Township 1 north, range 2 west, section 7, west half; section 8, south half southwest quarter and southwest quarter southeast quarter; section 17, lots 1, 2, 10, 11, and 12, and north half northwest quarter; section 18, northeast quarter northeast quarter, northwest quarter, northeast quarter southwest quarter, lot 3 or northwest quarter southwest quarter, and north half southeast quarter; section 20, northwest quarter northeast quarter northeast quarter and northwest quarter northeast quarter.

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter lot 2).

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within five years after the date of enactment of this Act, or fail to maintain such land as a public park and recreational site for any period of five consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the Act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided*, That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

Approved, August 24, 1937.

Reversionary provisions.

34 Stat. 225,  
16 U. S. C. § 431.

*Proviso.*  
Mineral reservation.

#### [CHAPTER 742]

##### AN ACT

Authorizing the Secretary of the Interior to convey all right, title, and interest of the United States in certain lands to the State of New Mexico, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of New Mexico all the right, title, and interest, legal and equitable, of the United States in and to all lands patented to such State under Patent Numbered 854989, issued March 17, 1922, under the provisions of volume 28, United States Statutes, page 422, commonly known as the Carey Act: *Provided*, That such quitclaim deed shall contain a reservation of a right-of-way for ditches and canals as required by the Act of August 30, 1890 (26 Stat. 391).

Approved, August 24, 1937.

August 24, 1937  
[S. 1889]

[Public, No. 344]

New Mexico.  
Conveyance of certain lands to.

28 Stat. 422,  
43 U. S. C. § 641.

*Proviso.*  
Right-of-way reserved.  
26 Stat. 391.  
43 U. S. C. § 945.

#### [CHAPTER 743]

##### AN ACT

Authorizing the Secretary of the Interior to patent certain tracts of land to the State of New Mexico and Cordy Bramblet.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized and directed to issue, without requiring the payment of any fees or charges whatsoever, (1) to the State of New Mexico a patent for lot 13, section 4, township 14 south, range 4 west, New Mexico principal meridian, such land to be subject to a reservation of a sufficient right-of-way and easement for the maintenance of any part of the sewer lines and sewage-disposal plant of the city of Hot Springs now maintained upon such tract; (2) to Cordy Bramblet, of Hot Springs, New Mexico, a patent for lot 14, section 4, township 14 south, range 4 west, New Mexico principal meridian.

Approved, August 24, 1937.

August 24, 1937  
[S. 2614]

[Public, No. 345]

New Mexico.  
Land patent to.

Rights reserved.

Cordy Bramblet.  
Land patent to.

## [CHAPTER 744]

## AN ACT

August 24, 1937

[S. 2682]

[Public, No. 346]

To authorize the Secretary of the Interior to issue patents to States under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), subject to prior leases issued under section 15 of the said Act.

Public lands.  
Issuance of patents  
to States of certain  
lands under design-  
ated laws.  
48 Stat. 1269; 49  
Stat. 1976.  
43 U. S. C. § 315;  
Supp. II, § 315.

*Proviso.*  
Accountability.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior in adjudicating State exchanges, under section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), involving lands embraced in outstanding leases under section 15 of said Act issued prior to the filing of the State exchange application, is hereby authorized upon the request of any State to issue patent to the State, subject to such outstanding lease: *Provided*, That the United States shall not by reason of the issuance of any such patents be required to account to the State for any money due and collected prior thereto as rent for any part of the then-current annual rental period except as is now provided by law.

Approved, August 24, 1937.

## [CHAPTER 745]

## AN ACT

August 24, 1937

[S. 2901]

[Public, No. 347]

To amend subsection (e) of section 9 of the Trading with the Enemy Act, as amended.

Trading with the  
Enemy Act, amend-  
ment.  
42 Stat. 1514.

Reciprocal release of  
sequestered prop-  
erty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (e) of section 9 of the Trading with the Enemy Act, as amended, is amended by inserting after the words "unless such nation in like case extends reciprocal rights to citizens of the United States" a colon and the following: "*Provided*, That any arrangement made by a foreign nation for the release of money and other property of American citizens and certified by the Secretary of State to the Attorney General as fair and the most advantageous arrangement obtainable shall be regarded as meeting this requirement."

Approved, August 24, 1937.

## [CHAPTER 746]

## AN ACT

August 24, 1937

[H. R. 2702]

[Public, No. 348]

To permit grand-jury extensions to be ordered by any district judge.

Judicial Code,  
amendment.  
36 Stat. 1165.  
28 U. S. C. § 421.

Summoning of  
grand juries.

Second grand jury  
in large cities.

Third jury, south-  
ern district of New  
York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 284 of the Judicial Code, as amended (U. S. C., title 28, sec. 421), be, and the same is hereby amended to read as follows:

"SEC. 284. No grand jury shall be summoned to attend any district court unless the judge thereof, in his own discretion or upon a notification by the district attorney that such jury will be needed, orders a venire to issue therefor. If the United States attorney for any district which has a city or borough containing at least three hundred thousand inhabitants shall certify in writing to a district judge of the district that the exigencies of the public service require it, the judge may, in his discretion, also order a venire to issue for a second grand jury. If the United States attorney for the southern district of New York shall certify in writing to the senior district judge of said district that the exigencies of the public service require

it, said judge may, in his discretion, also order a venire to issue for a third grand jury. The district court may in term order a grand jury to be summoned at such time, and to serve such time as it may direct, whenever, in its judgment, it may be proper to do so. A district judge may, upon request of the district attorney or of the grand jury or on his own motion, by order authorize any grand jury to continue to sit during the term succeeding the term at which such request is made, solely to finish investigations begun but not finished by such grand jury, but no grand jury shall be permitted to sit in all during more than three terms. Nothing herein shall operate to extend beyond the time permitted by law the imprisonment before indictment found of a person accused of crime or offense, or the time during which a person so accused may be held under recognizance before indictment found."

Approved, August 24, 1937.

Extensions to complete investigations; limitation.

Imprisonment before indictment, etc., time limit not extended.

## [CHAPTER 747]

### AN ACT

To amend the bank-robbery statute to include burglary and larceny.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) of section 2 of the Act of May 18, 1934 (48 Stat. 783; U. S. C., title 12, sec. 588b), be and the same is hereby, amended to read as follows:

"(a) Whoever, by force and violence, or by putting in fear, feloniously takes, or feloniously attempts to take, from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank; or whoever shall enter or attempt to enter any bank, or any building used in whole or in part as a bank, with intent to commit in such bank or building, or part thereof, so used, any felony or larceny, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both; or whoever shall take and carry away, with intent to steal or purloin, any property or money or any other thing of value exceeding \$50 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than \$5,000 or imprisoned not more than ten years, or both; or whoever shall take and carry away, with intent to steal or purloin, any property or money or any other thing of value not exceeding \$50 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

Approved, August 24, 1937.

August 21, 1937  
[H. R. 5909]  
[Public, No. 349]

Offenses against banks.  
48 Stat. 783.  
12 U. S. C. § 588b.

Bank robbery; burglary and larceny added.

Penalty provisions.

## [CHAPTER 748]

### JOINT RESOLUTION

Authorizing an appropriation for the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana, Cuba.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana,

August 24, 1937  
[S. J. Res. 197]  
[Pub. Res., No. 67]

Inter-American Radio Conference, 1937.  
Appropriation authorized for participation expenses.  
Post, p. 770.

Services in the Dis-  
trict.  
5 U. S. C. §§ 661-  
674.

R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of  
other appropriations.

Cuba, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified.

Approved, August 24, 1937.

[CHAPTER 749]

JOINT RESOLUTION

August 24, 1937  
[S. J. Res. 199]  
[Pub. Res., No. 68]

To authorize an appropriation for the expenses of participation by the United States in the Eighth International Road Congress in 1938.

Eighth Interna-  
tional Road Congress,  
1938.

Appropriation au-  
thorized for participa-  
tion expenses.

Services in the Dis-  
trict.  
5 U. S. C. §§ 661-  
674.

R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of  
other appropriations.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Eighth International Road Congress, to be held in The Netherlands in 1938, including personal services in the District of Columbia and elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; official cards; printing and binding; preparation, installation, transportation, and operation of an appropriate exhibit; entertainment; local transportation; the payment of expenses incident to travel by steamer, rail, or motorbus on the official congress inspection trip; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payment may have been made for any of the purposes herein specified.

Approved, August 24, 1937.

[CHAPTER 752]

AN ACT

August 24, 1937  
[H. R. 5417]  
[Public, No. 350]

To provide for the measurement of vessels using the Panama Canal, and for other purposes.

Canal Zone Code,  
amendment.  
48 U. S. C. § 1315.

Bases of tolls.

*Proviso.*  
Restriction on  
changing basic rules  
of measurement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 412 of title 2 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"Tolls on merchant vessels, army and navy transports, colliers, hospital ships, supply ships, and yachts shall be based on net vessel-tonnage of one hundred cubic feet each of actual earning capacity determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal prescribed by the President and as may be modified by him from time to time by proclamation, and tolls on other floating craft shall be based on displacement tonnage: *Provided*, That the basic rules of measurement shall not be changed except after public hearing and six months' public notice of such change. The

rate of tolls on laden vessels shall not exceed \$1, nor be less than \$0.75 per net vessel-ton as determined under the aforesaid rules, and on vessels in ballast without passengers or cargo the rate may be less than the rate of tolls for vessels with passengers or cargo. In addition to the tolls based on measurement or displacement tonnage, tolls may be levied on passengers at rates not to exceed \$1.50 for each passenger. The levy of tolls is subject to the provisions of article XIX of the convention between the United States of America and the Republic of Panama, entered into November 18, 1903, and of article I of the treaty between the United States of America and the Republic of Colombia proclaimed March 30, 1922."

SEC. 2. This Act shall take effect and be enforced on and after March 1, 1938.

Approved, August 24, 1937.

Rates.

Passenger tolls.

33 Stat. 2239; 42 Stat. 2122.

Effective date.

# [CHAPTER 753]

## AN ACT

To amend the Act of May 3, 1935, relating to the promotion of safety on the highways of the District of Columbia.

August 24, 1937

[S. 1226]

[Public, No. 351]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 3 and 9 of the Act entitled "An Act to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this Act, and for other purposes", approved May 3, 1935, are amended by striking out the phrase "in excess of \$100" where it appears in such sections.

SEC. 2. Section 4 of such Act is amended by striking out the phrase "over \$100 in amount".

Approved, August 24, 1937.

District of Columbia.  
Financial responsibility, motor-vehicle operators.  
49 Stat. 167, 171.  
Suspension of permit and registration certificate; minimum amount of judgment eliminated.

Bonds; damage judgment, amount repealed.  
49 Stat. 169.

# [CHAPTER 754]

## AN ACT

To provide for intervention by the United States, direct appeals to the Supreme Court of the United States, and regulation of the issuance of injunctions, in certain cases involving the constitutionality of Acts of Congress, and for other purposes.

August 24, 1937

[H. R. 2260]

[Public, No. 352]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the constitutionality of any Act of Congress affecting the public interest is drawn in question in any court of the United States in any suit or proceeding to which the United States, or any agency thereof, or any officer or employee thereof, as such officer or employee, is not a party, the court having jurisdiction of the suit or proceeding shall certify such fact to the Attorney General. In any such case the court shall permit the United States to intervene and become a party for presentation of evidence (if evidence is otherwise receivable in such suit or proceeding) and argument upon the question of the constitutionality of such Act. In any such suit or proceeding the United States shall, subject to the applicable provisions of law, have all the rights of a party and the liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the constitutionality of such Act.

United States courts.  
Intervention by United States in suits where constitutionality of Act of Congress drawn in question.

Rights and liabilities.



Direct appeal by United States to Supreme Court where decision against constitutionality and United States a party.

Time limitation.

Record and docketing in Supreme Court.

Precedence over other matters.

Injunctions suspending, etc., Act of Congress upon constitutional grounds, determination by three-judge court.

Composition of court, procedure, etc.

Notice to Attorney General, etc.

*Proviso.*  
Temporary restraining order to prevent irreparable loss.

Finding.

SEC. 2. In any suit or proceeding in any court of the United States to which the United States, or any agency thereof, or any officer or employee thereof, as such officer or employee, is a party, or in which the United States has intervened and become a party, and in which the decision is against the constitutionality of any Act of Congress, an appeal may be taken directly to the Supreme Court of the United States by the United States or any other party to such suit or proceeding upon application therefor or notice thereof within thirty days after the entry of a final or interlocutory judgment, decree, or order; and in the event that any such appeal is taken, any appeal or cross-appeal by any party to the suit or proceeding taken previously, or taken within sixty days after notice of an appeal under this section, shall also be or be treated as taken directly to the Supreme Court of the United States. In the event that an appeal is taken under this section, the record shall be made up and the case docketed in the Supreme Court of the United States within sixty days from the time such appeal is allowed, under such rules as may be prescribed by the proper courts. Appeals under this section shall be heard by the Supreme Court of the United States at the earliest possible time and shall take precedence over all other matters not of a like character. This section shall not be construed to be in derogation of any right of direct appeal to the Supreme Court of the United States under existing provisions of law.

SEC. 3. No interlocutory or permanent injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any Act of Congress upon the ground that such Act or any part thereof is repugnant to the Constitution of the United States shall be issued or granted by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a circuit judge. When any such application is presented to a judge, he shall immediately request the senior circuit judge (or in his absence, the presiding circuit judge) of the circuit in which such district court is located to designate two other judges to participate in hearing and determining such application. It shall be the duty of the senior circuit judge or the presiding circuit judge, as the case may be, to designate immediately two other judges from such circuit for such purpose, and it shall be the duty of the judges so designated to participate in such hearing and determination. Such application shall not be heard or determined before at least five days' notice of the hearing has been given to the Attorney General and to such other persons as may be defendants in the suit: *Provided*, That if of opinion that irreparable loss or damage would result to the petitioner unless a temporary restraining order is granted, the judge to whom the application is made may grant such temporary restraining order at any time before the hearing and determination of the application, but such temporary restraining order shall remain in force only until such hearing and determination upon notice as aforesaid, and such temporary restraining order shall contain a specific finding, based upon evidence submitted to the court making the order and identified by reference thereto, that such irreparable loss or damage would result to the petitioner and specifying the nature of the loss or damage. The said court may, at the time of hearing such application, upon a like finding, continue the temporary stay or suspension, in whole or in part, until decision upon the application. The hearing upon any such application for an interlocutory or permanent injunction shall be

given precedence and shall be in every way expedited and be assigned for a hearing at the earliest practicable day. An appeal may be taken directly to the Supreme Court of the United States upon application therefor or notice thereof within thirty days after the entry of the order, decree, or judgment granting or denying, after notice and hearing, an interlocutory or permanent injunction in such case. In the event that an appeal is taken under this section, the record shall be made up and the case docketed in the Supreme Court of the United States within sixty days from the time such appeal is allowed, under such rules as may be prescribed by the proper courts. Appeals under this section shall be heard by the Supreme Court of the United States at the earliest possible time and shall take precedence over all other matters not of a like character. This section shall not be construed to be in derogation of any right of direct appeal to the Supreme Court of the United States under existing provisions of law.

SEC. 4. Section 13 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 17), is hereby amended to read as follows:

"SEC. 13. Whenever any district judge by reason of any disability or absence from his district or the accumulation or urgency of business is unable to perform speedily the work of his district, the senior circuit judge of that circuit, or, in his absence, the circuit justice thereof, shall designate and assign any district judge of any district court within the same judicial circuit to act as district judge in such district and to discharge all the judicial duties of a judge thereof for such time as the business of the said district court may require. Whenever it is found impracticable to designate and assign another district judge within the same judicial circuit as above provided and a certificate of the needs of any such district is presented by said senior circuit judge or said circuit justice to the Chief Justice of the United States, he, or in his absence the senior associate justice, shall designate and assign a district judge of an adjoining judicial circuit if practicable, or if not practicable, then of any judicial circuit, to perform the duties of district judge and hold a district court in any such district as above provided: *Provided, however,* That before any such designation or assignment is made the senior circuit judge of the circuit from which the designated or assigned judge is to be taken shall consent thereto. All designations and assignments made hereunder shall be filed in the office of the clerk and entered on the minutes of both the court from and to which a judge is designated and assigned, as well as on the minutes of the Supreme Court of the United States, to the clerk of which both of such other clerks shall immediately report the fact and period of assignment."

SEC. 5. As used in this Act, the term "court of the United States" means the courts of record of Alaska, Hawaii, and Puerto Rico, the United States Customs Court, the United States Court of Customs and Patent Appeals, the Court of Claims, any district court of the United States, any circuit court of appeals, and the Supreme Court of the United States; the term "district court of the United States" includes the District Court of the United States for the District of Columbia; the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "circuit" includes the District of Columbia; the term "senior circuit judge" includes the Chief Justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

Approved, August 24, 1937.

Direct appeal to Supreme Court.

Precedence over other matters.

28 U. S. C. § 17.

Assignment of another judge within circuit, to a district during disability, etc.

Assignment of district judges outside own districts by Chief Justice.

*Provided,* Consent by senior circuit judge.

Official entries of assignments.

Terms defined.

## [CHAPTER 755]

## AN ACT

August 24, 1937  
[H. R. 8174]  
[Public, No. 353]

To make available to each State which enacted in 1937 an approved unemployment-compensation law a portion of the proceeds from the Federal employers' tax in such State for the year 1936.

Unemployment  
compensation.  
49 Stat. 640.  
42 U. S. C., Supp.  
II, § 1103.  
Payments author-  
ized to each State  
which in 1937 enacted  
an approved compen-  
sation law.

Meaning of terms.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated for payment to the unemployment fund of each State or Territory which was not certified by the Social Security Board under section 903 of the Social Security Act on December 31, 1936, but which enacted in the year 1937 an unemployment-compensation law approved by the Social Security Board under such section, an amount equal to 90 per centum of the proceeds of the tax paid on or before January 31, 1938, with respect to employment in such State or Territory during the calendar year 1936 under title IX of such Act. Out of the sums appropriated therefor, the Secretary of the Treasury shall pay such amount, through the Division of Disbursement of the Treasury Department, to each such State unemployment fund. The terms used in this Act shall have the same meaning as identical terms in title IX of the Social Security Act.

Approved, August 24, 1937.

## [CHAPTER 756]

## JOINT RESOLUTION

August 24, 1937  
[S. J. Res. 207]  
[Pub. Res., No. 69]

Expressing the views of the Congress as to a program for the relief and benefit of agriculture.

Program for relief  
and benefit of agri-  
culture.  
Preamble.

Whereas the whole Nation suffers when agriculture is depressed; and Whereas the Nation has felt and still feels the unfavorable economic consequences of two different kinds of misfortune in agriculture; and

Whereas the first of these misfortunes was the ruinous decline in farm prices from 1929 to 1932; and

Whereas the second kind of misfortune was the drought of 1934 followed by the drought of 1936; and

Whereas a permanent farm program should (a) provide not only for soil conservation but also for developing and improving the crop-adjustment methods of the Agricultural Adjustment Act, (b) protect agriculture and consumers against the consequences of drought, and (c) safeguard farmers and the business of the Nation against the consequences of farm-price decline; and

Whereas it is the sense of Congress that the permanent farm legislation should be based upon the following fundamental principles:

(1) That farmers are entitled to their fair share of the national income;

(2) That consumers should be afforded protection against the consequences of drought, floods, and pestilence causing abnormally high prices by storage of reserve supplies of big crop years for use in time of crop failure;

(3) That if consumers are given the protection of such an ever-normal granary plan, farmers should be safeguarded against undue price declines by a system of loans supplementing their national soil-conservation program; and

(4) That control of agricultural surpluses above the ever-normal granary supply is necessary to safeguard the Nation's investment in loans and to protect farmers against a price collapse due to bumper yields resulting in production beyond all domestic and foreign need.

(5) That the present Soil Conservation Act should be continued, its operations simplified, and provision made for reduced payments to large operators on a graduated scale to promote the interest of individual farming;

(6) That, linked with control of agricultural surpluses, there should be research into new uses for agricultural commodities and the products thereof and search for new uses, new outlets, and new markets, at home and abroad;

(7) That provision should be made for applications to the Interstate Commerce Commission for correction of discriminations now existing against agricultural products in the freight-rate schedules.

Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That abundant production of farm products should be a blessing and not a curse, that therefore legislation carrying out the foregoing principles will be first to engage the attention of the Congress upon its reconvening, and that it is the sense of the Congress that a permanent farm program based upon these principles should be enacted as soon as possible after Congress reconvenes.

Approved, August 24, 1937.

16 U. S. C., Supp. II, §§ 590a-590q.

Legislation concerning, to engage Congress upon reconvening.

[CHAPTER 757]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes.

August 25, 1937  
[H. R. 8245]

[Public, No. 354]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes, namely:

Third Deficiency  
Appropriation Act,  
fiscal year 1937.

TITLE I—GENERAL APPROPRIATIONS  
LEGISLATIVE

SENATE

To pay to Ewilda G. Robinson, widow of Honorable Joseph T. Robinson, late a Senator from the State of Arkansas, \$10,000.

To pay Edward J. Trenwith, as compensation for compiling a revised supplement to the compilation entitled "Treaties, conventions, international acts, and protocols, between the United States and other powers", to include treaties, conventions, important protocols, and international acts to which the United States may have been a party since March 4, 1923, under resolution of the Senate (S. Res. 132, Seventy-fifth Congress, first session), fiscal year 1938, \$2,500.

Office of Sergeant at Arms and Doorkeeper: For an amount required to increase the compensation of the Secretary of the Majority and the Secretary of the Minority \$1,000 each per annum so long as the positions are held by the present incumbents, fiscal year 1938, \$2,000.

Senate Document Room: For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of

General appropriations.

Legislative.

Senate.

Joseph T. Robinson.

Pay to widow.

Edward J. Trenwith.

Payment to.

Secretary of Majority and Secretary of Minority, salary increases.

*Ante*, p. 172.

Superintendent, Document Room, salary increase.

*Ante*, p. 170.

the Superintendent of the Senate Document Room at the rate of \$1,040 per annum so long as the position is held by the present incumbent, \$867.

Senate kitchens and restaurants: For repairs, improvements, and equipment for the Senate Restaurant, Capitol Building, including personal and other services, fiscal years 1937 and 1938, \$12,300, to be expended by the Architect of the Capitol.

Senate kitchens and restaurants, repairs, etc.

House of Representatives.

#### HOUSE OF REPRESENTATIVES

William P. Connery, Jr.  
Pay to widow.  
Philip A. Goodwin.  
Pay to widow.

For payment to the widow of William P. Connery, Junior, late a Representative from the State of Massachusetts, \$10,000.

For payment to the widow of Philip A. Goodwin, late a Representative from the State of New York, \$10,000.

Theodore A. Peyser.  
Pay to sister.

For payment to Josephine Dryer, sister of Theodore A. Peyser, late a Representative from the State of New York, \$10,000.

The three foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Clerk's office, salary increases.  
*Ante*, p. 174.

Office of the Clerk: For the additional amount required from August 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the following positions at the respective annual rates so long as they are held by the respective present incumbents: Disbursing clerk, \$1,040; assistant disbursing clerk, \$780; assistant enrolling clerk, \$720; stenographer to the Clerk, \$520; in all, \$2,805.

Committee employees.  
*Ante*, p. 174.

Committee employees: For a janitor to the Committee on Education and an additional janitor to the Committee on Ways and Means from August 1, 1937, to June 30, 1938, inclusive, at the rate of \$1,260 each per annum, \$2,310.

Committee on Appropriations.  
Assistant clerks.

For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the five senior assistant clerks of the Committee on Appropriations so long as the positions are held, respectively, by the present incumbents thereof, at such additional respective annual rates as may be fixed by the chairman with the approval of the committee; and for an additional assistant clerk to such committee at not to exceed \$4,500 per annum, such compensation to be fixed in the same manner; fiscal year, 1938, \$7,300.

House Press Gallery, assistant to Superintendent.  
*Ante*, p. 175.

Office of Doorkeeper: For an additional assistant to the Superintendent of the House Press Gallery at the rate of \$2,400 per annum, from August 1, 1937, to June 30, 1938, inclusive, \$440 plus the unexpended balance of the amount contained in the Legislative Branch Appropriation Act, 1938, for a press-gallery page, which is hereby made available for the foregoing purpose.

Superintendent, Document Room, salary increase.  
*Ante*, p. 176.

For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the Superintendent of the Document Room at the rate of \$1,040 per annum so long as the position is held by the present incumbent, \$867.

Contested-election expenses.  
J. Will Taylor.

Contested-election expenses: For payment to J. Will Taylor, contestee, for expenses incurred in the contested-election case of Rutherford versus Taylor, as audited and recommended by the Committee on Elections Numbered 1, \$550.50, to be disbursed by the Clerk of the House.

United States Constitution Sesquicentennial Commission.  
Administrative expenses.  
49 Stat. 1392.

#### UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

For carrying out the provisions of the public resolution entitled "Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes", approved June 1, 1936 (49

Stat. 1392) as amended by the Act approved August 19, 1937, fiscal year 1938, to remain available until December 31, 1939, \$100,000, together with the unexpended balance provided for this purpose in the First Deficiency Act of June 22, 1936.

*Ante*, p. 694.

49 Stat. 1599.

#### ARCHITECT OF THE CAPITOL

Capitol Building: For purchase and installation of steel shelving for the Senate Document Room, in room B2, Senate Office Building, fiscal year 1938, \$850.

Architect of the Capitol.

Senate Document Room, shelving.

Library Building and Grounds: Not to exceed \$18,000 of the appropriations heretofore made for the construction of the Annex, Library of Congress, is hereby made available for the construction of a fireproof bookstack, with necessary appurtenances, for the Hispanic room in the Library of Congress.

Library of Congress, Hispanic room.  
*Ante*, p. 180.

#### GOVERNMENT PRINTING OFFICE

For payment to William Madden, Preston L. George, and William S. Houston, and on account of Samuel Robinson, messengers on night duty during the first session of the Seventy-fifth Congress, \$900 each; in all, \$3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1938; such sum on account of Samuel Robinson to be paid in equal amounts to Mary E. Adams and Nettie Bullas, nieces of such person.

Government Printing Office.

Designated messengers on night duty.

*Ante*, p. 184.

Samuel Robinson, payment to nieces.

### INDEPENDENT ESTABLISHMENTS

#### EXECUTIVE OFFICE

Executive Mansion and Grounds: For an additional amount for the care, maintenance, repairs, and alteration of the Executive Mansion, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, to be expended as the President may determine notwithstanding the provisions of any other Act, \$17,000.

Independent Establishments.

Executive Office.

Executive Mansion and Grounds, maintenance.  
*Ante*, p. 330.

#### CIVILIAN CONSERVATION CORPS

The limitation of \$200,000 on the amount that may be expended for salaries and expenses of the Office of the Director from the appropriation for the Civilian Conservation Corps contained in the public resolution entitled "Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes", approved July 1, 1937, is hereby increased to \$255,000.

Civilian Conservation Corps.

Director's office, limitation increased.

*Ante*, p. 170.

#### ELECTRIC HOME AND FARM AUTHORITY

The paragraph under this caption in the Independent Offices Appropriation Act, 1938, is hereby amended by striking out the sum "\$300,000" and inserting in lieu thereof the sum "\$400,000".

Electric Home and Farm Authority.

Appropriation increased.  
*Ante*, p. 348.

#### FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For an additional amount for salaries and expenses of the Federal Communications Commission, fiscal year 1938, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, and including reimbursement to ships of the United States for charges incurred by such ships in transmitting information in compliance with section

Federal Communications Commission.

Salaries and expenses.  
*Ante*, p. 334.

Transmission of information.  
*Ante*, p. 195.

*Proviso.*  
Personal services in  
the District.

357 of the Communications Act of 1934, as amended, \$113,000: *Provided*, That the limitation of \$1,050,000 as the amount that may be expended for the personal services in the District of Columbia from the appropriation under this head in the Independent Offices Appropriation Act, 1938, is hereby increased to \$1,077,900.

Study of radio re-  
quirements for ship  
navigation.

Special study of radio requirements necessary for ships navigating the Great Lakes and inland waters of the United States: To enable the Federal Communications Commission to study and report to Congress the radio requirements necessary or desirable for safety purposes for ships navigating the Great Lakes and the inland waters of the United States, as provided in section 15 of the Act entitled "An Act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes", approved May 20, 1937 (50 Stat. 189-198), including personal services in the District of Columbia and elsewhere; travel expenses, supplies and equipment, and such other contingent and miscellaneous expenses as may be necessary; fiscal year 1938; \$20,000.

*Ante*, pp. 189-198.

Federal Housing  
Administration.

#### FEDERAL HOUSING ADMINISTRATION

Administrative ex-  
penses.

*Ante*, p. 350.

The paragraph in the Independent Offices Appropriation Act, 1938, under the caption "Federal Housing Administration" is hereby amended by striking out the words and sum "not to exceed \$10,000,000" and inserting in lieu thereof "not to exceed \$5,000,000 of the mutual mortgage insurance fund and \$5,000,000".

Great Lakes Ex-  
position.

#### GREAT LAKES EXPOSITION

Participation ex-  
penses.

*Ante*, p. 61.

For an additional amount for the expenses of participation of the Government of the United States in the Great Lakes Exposition as provided for by Public Resolution Numbered 23, approved April 12, 1937, fiscal year 1938, \$75,000.

National Capital  
Park and Planning  
Commission.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Salaries and ex-  
penses.

46 Stat. 485; 49 Stat.  
1602.

Not to exceed \$10,000 of the unobligated balance of the appropriation of \$200,000, fiscal year 1937, for the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of section 4 of the Act approved May 29, 1930 (46 Stat. 482), contained in the First Deficiency Appropriation Act, fiscal year 1936, is hereby continued available for the same purpose until June 30, 1938.

National Labor Re-  
lations Board.

#### NATIONAL LABOR RELATIONS BOARD

Salaries and ex-  
penses, 1937.

49 Stat. 1177.

Fiscal year 1938.

*Ante*, p. 339.

Salaries and expenses: For an additional amount for salaries and expenses of the National Labor Relations Board, fiscal year 1937, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, \$15,000.

Salaries and expenses: For an additional amount for salaries and expenses of the National Labor Relations Board for the fiscal year 1938, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, \$1,735,000.

Printing and bind-  
ing.

*Ante*, p. 339.

Printing and binding: For an additional amount for all printing and binding for the National Labor Relations Board for the fiscal year 1938, including the same limitations and provisions under this head in the Independent Offices Appropriation Act, 1938, \$50,000.

## SOCIAL SECURITY BOARD

Salaries and expenses: For an additional amount for the Executive Director of the Social Security Board to make the salary \$9,500 per annum, fiscal year 1938, \$500; payable from the appropriation for "Salaries and Expenses", Social Security Board, fiscal year 1938.

Social Security Board.

Executive Director, salary.

*Ante*, p. 343.

## TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority Fund: The appropriation under this head for the fiscal year 1938, contained in the Second Deficiency Appropriation Act, fiscal year 1937, shall, in addition to the objects specified under that head, be available for the reconstruction and relocation of the George Sam Houston Bridge across the Tennessee River at Guntersville, Alabama.

Tennessee Valley Authority.

George Sam Houston Bridge, reconstruction, etc.  
Fund available.  
*Ante*, p. 217.

## THOMAS JEFFERSON MEMORIAL COMMISSION

For the purposes authorized under the provisions of the Act approved June 3, 1936 (49 Stat. 1397), entitled "An Act to authorize the execution of plans for a permanent memorial to Thomas Jefferson", fiscal year 1938, \$20,000, including payment of obligations heretofore incurred in the fiscal years 1937 and 1938.

Thomas Jefferson Memorial Commission.

Expenses.  
49 Stat. 1397.

## UNITED STATES GOLDEN GATE INTERNATIONAL EXPOSITION COMMISSION

For carrying into effect the provisions of the public resolution entitled "Joint resolution providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939", approved July 9, 1937, \$1,500,000, to remain available until the termination of the Commission.

United States Golden Gate International Exposition Commission.

Participation expenses.  
*Ante*, p. 488.

## UNITED STATES MARITIME COMMISSION

In addition to the contracts which may be entered into under funds available to the United States Maritime Commission for carrying out the provisions of the Merchant Marine Act, 1936, the Commission is authorized to enter into contracts for further carrying out the provisions of such Act in an amount not to exceed \$115,000,000.

Out of funds available to the Commission, not to exceed \$75,000 may be expended, including payment for obligations heretofore incurred, for the employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services, deemed necessary by the Commission, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That such section 3709 shall not apply hereafter to any purchase by or service rendered to the Commission where the aggregate amount involved does not exceed \$100.

United States Maritime Commission.

Construction fund; contracts authorized.  
49 Stat. 1985.

Expenses.

R. S. § 3709.  
41 U. S. C. § 5.

*Provided*.  
Minor purchases.

## UNITED STATES NEW YORK WORLD'S FAIR COMMISSION

For carrying into effect the provisions of the Public Resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair 1939", approved July 9, 1937, \$3,000,000, to remain available until the termination of the Commission.

United States New York World's Fair Commission.

Participation expenses.  
*Ante*, p. 403.

## DISTRICT OF COLUMBIA

Survey of tax structure, District of Columbia: For the employment of clerical services in connection with a survey and study of the entire tax structure of the District of Columbia in accordance with the provisions of title VII, section 3, of the Act entitled "An

District of Columbia.

Survey of tax structure.  
*Ante*, p. 693.



Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, fiscal year 1938, \$5,000.

Office of superintendent of weights, etc., contingent expenses.  
*Ante*, p. 361.

Public schools.  
Jefferson Memorial Junior High.  
*Ante*, p. 371.

District Training School.

Supreme Court, D. C., miscellaneous expenses.

49 Stat. 1875.

Industrial Home School.

Saint Elizabeths Hospital.

Assistance against old-age want.  
Sum transferred.  
*Ante*, p. 383.

Judgments, payment of.  
Charles R. Guthrie.

Washington Petroleum Products, Inc., refunding excess tax.

43 Stat. 106.

Sherwood Brothers, Inc., refunding excess tax.

43 Stat. 106.

Settlement of claims.

Office of superintendent of weights, measures, and markets: For an additional amount for contingent expenses for the purpose of making emergency repairs to the municipal fish market, including relocation of toilet facilities, fiscal year 1938, \$13,000.

Public Schools: The authorization for the acquisition of a site for the Jefferson Memorial Junior High School and Library contained in the Act making appropriations for the fiscal year 1938, approved June 29, 1937, shall not be available for the purchase of a site prior to April 1, 1938.

District Training School: For an additional amount for repairs and improvements to buildings and grounds for the purpose of repairing a bridge across the Little Patuxent River on the grounds of the District Training School near Laurel, Maryland, fiscal year 1938, \$4,500.

Miscellaneous expenses, Supreme Court, District of Columbia: For an additional amount for such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, \$2,706.69.

Industrial Home School: For an additional amount for repairs and improvements to buildings and grounds for the purpose of repairing boilers, fiscal year 1938, \$2,000.

Saint Elizabeths Hospital: For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital as provided by law, fiscal year 1937, \$39,000.

Assistance against old-age want: The sum of \$75,000 is hereby transferred from the appropriation "Emergency Relief of Residents, District of Columbia, 1938", to the appropriation "Assistance Against Old-age Want, District of Columbia, 1938".

Judgments: For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 336, Seventy-fifth Congress, \$4,088.82, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

For the payment of final judgment, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 283, Seventy-fifth Congress, \$1,990.64, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgment, as provided by law, from the date the same became due until the date of payment, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

For payment of the final judgment rendered against the District of Columbia, as set forth in Senate Document Numbered 97, Seventy-fifth Congress, \$4,206.19, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

Settlement of claims: For the payment of the claims approved by the Commissioners under and in accordance with the provisions of

the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929, as amended by the Act approved June 5, 1930, and certified to the Seventy-fifth Congress in House Documents Numbered 280 and 332, \$900.

**Audited claims:** For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), being for the service of the fiscal year 1934 and prior fiscal years:

Refund of assessments, District of Columbia, 1933 and 1934, \$46.12;  
Coroner's office, District of Columbia, 1928, \$12.

In all, audited claims, \$58.12.

**Division of expenses:** The foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia appropriations acts for the respective fiscal years for which such sums are provided.

## DEPARTMENT OF AGRICULTURE

### BUREAU OF PLANT INDUSTRY

**Dry-land agriculture:** For an additional amount for dry-land agriculture investigations, with special reference to the improvement and development of grasses and other forage plants suitable for use under subhumid, semiarid, or dry-land conditions, including the purchase of land, construction of dam and reservoir, installation of distribution and irrigation system, fencing, clearing, and leveling of land, and other necessary expenses, at the United States Southern Great Plains Field Station, Woodward, Oklahoma, fiscal year 1938, \$76,000: *Provided*, That not to exceed \$18,000 of this amount may be expended for the purchase of land in connection with these investigations.

### BUREAU OF DAIRY INDUSTRY

The limitation of \$313,020 on the amount which may be expended for personal services in the District of Columbia, contained in the Department of Agriculture Appropriation Act, 1938, under this head, is hereby increased to \$334,860.

### CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

The provision in the item entitled "Conservation and Use of Agricultural Land Resources, Department of Agriculture", contained in the Department of Agriculture Appropriation Act, fiscal year 1938, making funds available under this head for "the purchase of seeds, fertilizers, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary of Agriculture in the 1937 programs, for the reimbursement of the Tennessee Valley Authority for fertilizers heretofore or hereafter furnished by it to the Secretary of Agriculture for such purpose, and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof", is hereby made applicable also to the 1938 programs under the Soil Conservation and Domestic Allotment Act of February 29, 1936 (50 Stat. 430-431).

45 Stat. 1160; 46 Stat. 500.

Audited claims,  
payment of.

18 Stat. 110.  
31 U. S. C. § 713.

Division of ex-  
penses.

Department of Ag-  
riculture.

Plant Industry Bu-  
reau.

Dry-land agricul-  
ture.  
*Ante*, p. 408.

*Proviso*.  
Purchase of land.

Dairy Industry Bu-  
reau.

Personal services.  
*Ante*, p. 407.

Conservation and  
use of agricultural  
land resources.

Provisions extend-  
ed.  
*Ante*, p. 430.

## Sugar Act of 1937.

## THE SUGAR ACT OF 1937

Administrative expenses.  
*Post*, p. 903.  
*Proviso*.  
 Availability.

To enable the Secretary of Agriculture to carry into effect the provisions of the Sugar Act of 1937, fiscal year 1938, \$250,000: *Provided*, That such sum shall become available when such Act becomes a law.

Bankhead-Jones Farm Tenant Act.

## THE BANKHEAD-JONES FARM TENANT ACT

Farm tenancy, expenses.  
*Ante*, p. 522.  
 Retirement of submarginal land.  
*Ante*, p. 525.

To enable the Secretary of Agriculture to carry out the provisions of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937, \$10,000,000 as authorized by title I of such Act relating to farm tenancy, and \$10,000,000 as authorized by title III of such Act relating to the development of a program of land conservation and land utilization including the retirement of submarginal lands; in all, fiscal year 1938, \$20,000,000.

International production control committees.  
 Expenses.  
*Ante*, p. 432.

## INTERNATIONAL PRODUCTION CONTROL COMMITTEES

The limitation in the amount which the Secretary of Agriculture may expend for the objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1938, from the funds available to the Agricultural Adjustment Administration, is hereby increased from \$7,500 to \$10,000.

## PRICE ADJUSTMENT PAYMENT TO COTTON PRODUCERS

Price adjustment payment to cotton producers.  
 49 Stat. 774.

Terms and conditions.

Bases of payments.

Notwithstanding any other provisions of section 32 of Public Law Numbered 320, Seventy-fourth Congress, as amended, not to exceed \$65,000,000 of the funds available under said section 32 in each of the fiscal years 1938 and 1939 shall be available (at such times and in such amounts as the Secretary of Agriculture may determine) until expended for a price-adjustment payment, upon such terms and conditions as the Secretary of Agriculture may determine, with respect to the 1937 cotton crop to cotton producers who have complied with the provisions of the 1938 agricultural adjustment program formulated under the legislation contemplated by Senate Joint Resolution Numbered 207, Seventy-fifth Congress. Such payments to any producer shall be at a rate per pound equal to the difference between 12 cents per pound and the average price of seven-eighths Middling cotton on the ten designated spot cotton markets on the dates of sale of such cotton, but in no case shall exceed 3 cents per pound. The bases for any such payment, or the amount thereof, when officially determined in conformity with rules prescribed by the Secretary of Agriculture shall be reviewable only by the Secretary of Agriculture.

Department of Commerce.

## DEPARTMENT OF COMMERCE

Secretary's office.

## OFFICE OF THE SECRETARY

Accident Prevention Conference, General Committee, expenses.  
*Ante*, p. 631.

General Committee of Accident Prevention Conference: For salaries and expenses of the general committee of the Accident Prevention Conference, authorized in the Act entitled "An Act to advance a program of national safety and accident prevention", including personal services in the District of Columbia and elsewhere, printing and binding, traveling expenses, and all other expenses authorized in said Act, fiscal year 1938, \$17,500.

Traveling expenses.  
*Ante*, p. 283.

Amount increased by transfers of designated funds.

Traveling expenses: The amount appropriated in the Department of Commerce Appropriation Act, 1938, for traveling expenses, Department of Commerce, is hereby increased by \$360,000 by transfer of the following amounts from the respective appropriations in such Act under the Bureau of Air Commerce: Establishment of air-navi-

gation facilities, \$126,000; maintenance of air-navigation facilities, \$160,000; aircraft in commerce, \$45,000; and safety and planning, \$29,000.

#### BUREAU OF LIGHTHOUSES

Special projects, vessels, and aids to navigation: For an additional amount for constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$20,000; and for establishing and improving aids to navigation and other works, \$318,600; in all, \$338,600, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1938.

Bureau of Lighthouses.

Aids to navigation, special projects.  
*Ante*, p. 291.

### DEPARTMENT OF THE INTERIOR

#### OFFICE OF THE SECRETARY

For settling disputed land claims along the shores of the Potomac and Anacostia Rivers: To enable the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to conclude equitable adjustments of conflicting claims of title and interests between the United States of America and adverse claimants to rights and interests in lands, in, under, and adjacent to the Potomac River, the Anacostia River, or Eastern Branch and Rock Creek, including shores, submerged lands, and made lands, for the purpose of establishing the title of the United States as provided by the Act of April 27, 1912 (37 Stat. 93), and the Act of June 4, 1934 (48 Stat. 836), fiscal year 1938, \$15,000.

Interior Department.

Secretary's office.

Settling disputed land claims.

37 Stat. 93; 48 Stat. 836.

#### BUREAU OF INDIAN AFFAIRS

Indian agency buildings: For improvement of the sewer system, Pawnee Agency, Oklahoma, fiscal year 1938, \$15,000.

Purchase and transportation of Indian supplies: Not to exceed \$30,000 of the unobligated balance of the appropriation under this head contained in the Interior Department Appropriation Act for the fiscal year 1936 is hereby made available for the same purpose for the fiscal year 1935.

Vehicles, Indian Service: The limitation of \$160,000 on the amount of applicable appropriations for the Bureau of Indian Affairs contained in the Interior Department Appropriation Act, fiscal year 1937, that may be expended for the purchase and exchange of motor-propelled, passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils, is hereby increased to \$185,000.

Santa Rosa Band of Indians, California: For the acquisition of land for the use and benefit of the Santa Rosa Band of Mission Indians in California, as authorized by the Act of April 17, 1937, fiscal year 1938, \$500.

Payment to Sioux Indians for failure to receive allotments: For payment to various Sioux Indians of the Pine Ridge Reservation, South Dakota, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation of attorneys for services performed, all as authorized by the Act of June 29, 1937, fiscal year 1938, \$79,038, to remain available until expended.

Fort Peck, Montana, irrigation system: For continuing the construction of the irrigation system, Fort Peck Reservation, Montana, including the purchase or rental of equipment, tools, and appliances and the acquisition of rights-of-way and payment of damages when necessary, fiscal year 1938, \$100,000, reimbursable.

Indian Affairs Bureau.

Pawnee Agency, Okla., sewers.

Supplies, purchase and transportation.

Balance, 1936 Act made available for fiscal year 1935.  
49 Stat. 181.

Vehicles; limitation on expenditure increased.  
49 Stat. 1764.

Santa Rosa Band of Mission Indians, Calif., land acquisition.  
*Ante*, p. 69.

Sioux Indians of Pine Ridge Reservation, S. Dak.  
Payment to.

*Ante*, p. 441.

Fort Peck, Mont., irrigation system.

Middle Rio Grande Conservancy district, N. Mex., expenses.

Maintenance assessments, Indian lands, Middle Rio Grande Conservancy District, New Mexico: For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, fiscal year 1935, \$12,570, or so much thereof as may be necessary, reimbursable.

Reclamation Bureau.

#### BUREAU OF RECLAMATION

Bonneville project.  
*Ante*, p. 731.

Bonneville project: For administering and carrying out the provisions of an Act entitled "An Act to authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes", approved August 20, 1937, including necessary personal services in the District of Columbia and elsewhere; the purchase of easements and rights-of-way; purchase, exchange, and operation of automobiles; purchase of office furniture and equipment; stationery and office supplies; purchase of equipment and other supplies; rent, traveling expenses, telegraph and telephone expenses, printing and binding and all other necessary expenses, fiscal year 1938, \$100,000.

Cabinet Gorge project, Idaho.  
*Ante*, p. 638.

Cabinet Gorge project, Idaho: For the purpose of carrying out the provisions of the Act of August 14, 1937 (Public, Numbered 279, Seventy-fifth Congress, first session), entitled "An Act to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other use, and for other purposes", \$25,000.

Commission to investigate reclamation projects, expenses.  
*Ante*, p. 737.

Commission to investigate reclamation projects: For expenses and all necessary disbursements, including salaries, to be expended under the direction of the Secretary of the Interior, of the Commission authorized by the Act entitled "An Act to create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects", fiscal year 1938, \$30,000: *Provided*, That such sum shall not become available unless and until the aforesaid legislation is enacted into law.

*Proviso.*  
Availability.

#### Bureau of Mines.

#### BUREAU OF MINES

Helium plant, acquirement of land.

Acquirement of land, helium plant: For acquirement from Gilbert D. Landis of three hundred and thirty-one acres (more or less) of land in Potter County, Texas, for disposal thereon of wastes from the helium plant at Amarillo, Texas, fiscal year 1938, \$10,000: *Provided*, That no part of this appropriation shall be expended until all claims against the United States in the case of Gilbert D. Landis against United States of America in the United States District Court for the Northern District of Texas are extinguished and valid title, free of encumbrances, to the three hundred and thirty-one acres (more or less) of land involved in said case vests in the United States of America: *Provided further*, That payment hereunder, together with any payments from other appropriations made by the United States on account of said claims, shall not exceed the amount of the judgment heretofore awarded in said case.

*Proviso.*  
Title, etc.

Limitation on payment.

National Park Service.

#### NATIONAL PARK SERVICE

Yosemite, Calif., addition.  
*Ante*, p. 485.

Yosemite National Park, California: For the acquisition of certain lands, including expenses incidental thereto, as set forth in the Act of Congress approved July 9, 1937 (Public, Numbered 195, Seventy-fifth Congress), there is hereby made available, not to exceed \$2,005,000 of the unexpended balance of the appropriation contained in the Emergency Relief Appropriation Act of 1935, heretofore earmarked thereunder for that purpose, notwithstanding the reappropriating provisions with respect to such unexpended balance in section 1 of the Emergency Relief Appropriation Act of 1937.

Fund available.  
49 Stat. 115.

*Ante*, p. 352.

**Acquisition of land:** For completing payment of awards in condemnation proceedings for the acquisition of certain lands to carry out the purposes of the Act of March 31, 1933 (48 Stat. 22), in areas designated by Executive Order Numbered 6542, dated December 28, 1933, the President is authorized to allocate not to exceed \$192,568 from funds made available by reappropriation of unexpended balances by section 1 of the Emergency Relief Appropriation Act of 1937.

Acquisition of land.  
48 Stat. 22.

Reappropriation of  
balances.

*Ante*, p. 352.

**Ackia National Memorial Commission and Battleground National Monument:** The unexpended balance of the appropriation to carry out the provisions of the Act entitled "An Act to provide for the commemoration of the two-hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935, contained in the Supplemental Appropriation Act, fiscal year 1936, is continued available for the fiscal year 1938 in order to provide for the commemoration during that year of the two-hundredth anniversary of the Battle of Ackia.

Ackia Battleground  
National Monument,  
Miss.  
49 Stat. 897.  
Balance continued  
available.

49 Stat. 1119.

**Salaries and general expenses, public buildings and grounds in the District of Columbia, 1938:** Of the appropriation of \$7,137,280 for salaries and general expenses, public buildings and grounds in the District of Columbia, contained in the Interior Department Appropriation Act, 1938, not to exceed \$24,000 may be expended for the construction of a steam line to connect the National Gallery of Art with the steam distribution system of the Central Heating Plant.

Public buildings  
and grounds, D. C.

*Ante*, p. 608.

National Gallery of  
Art, construction of  
steam line.

#### OFFICE OF EDUCATION

Office of Education.

**Cooperative vocational rehabilitation, residents of the District of Columbia:** For an additional amount for personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (45 Stat. 1260), as amended by the Act approved April 17, 1937 (Public Act Numbered 41, Seventy-fifth Congress), fiscal year 1938, \$10,000.

Cooperative vocational  
rehabilitation of  
disabled residents of  
District of Columbia.

45 Stat. 1260.

*Ante*, p. 69.

#### GOVERNMENT IN THE TERRITORIES

**Territory of Alaska:** For an additional amount for the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a-321d), fiscal year 1935, \$11.56.

Government in the  
Territories.

Alaska.  
Roads, bridges,  
trails, etc., repair and  
maintenance.  
48 U. S. C. §§ 321a-  
321d.

**Government of the Virgin Islands:** For an additional amount for salaries of the Governor and employees incident to the execution of the Act of March 3, 1917 (U. S. C., title 48, sec. 1391), fiscal year 1938, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1938, \$4,250.

Government of the  
Virgin Islands.  
Salaries, Governor  
and employees.  
48 U. S. C. § 1391.

#### DEPARTMENT OF JUSTICE

Department of Jus-  
tice.

#### CONTINGENT EXPENSES

**Printing and binding:** Not to exceed \$30,000 may be transferred from the appropriation "Support of United States prisoners, 1937", to the appropriation "Printing and binding, Department of Justice and courts, 1937."

Printing and bind-  
ing.  
Fund available.  
49 Stat. 1331.

Federal Bureau of  
Investigation.  
Claims for damages.

## FEDERAL BUREAU OF INVESTIGATION

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in Senate Document Numbered 106 of the Seventy-fifth Congress, \$233.88.

49 Stat. 1184.  
5 U. S. C., Supp. II,  
§ 300b.

United States Su-  
preme Court.  
Salaries.

## UNITED STATES SUPREME COURT

Salaries: For an additional amount for salaries, Supreme Court of the United States, including the same objects specified under this head in the Department of Justice Appropriation Act for the fiscal year 1938, \$1,200.

*Ante*, p. 276.

United States  
Courts.

## MARSHALS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Northern Pacific  
Railway Company  
and others.

Salaries and ex-  
penses, prosecuting  
case against.  
49 Stat. 1624.

Case of the United States against the Northern Pacific Railway Company and Others: For an additional amount for "Salaries and expenses, case of Northern Pacific Railway Company and Others, 1936-1938", including the same objects specified under this head in the First Deficiency Appropriation Act, 1936, \$79,000.

Marshals, etc.

Marshals, and so forth: For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, \$37.65.

Jurors and wit-  
nesses.  
*Ante*, p. 279.

Fees of jurors and witnesses: The limitation upon the amount of the appropriation "Fees of jurors and witnesses, United States courts 1938", that may be expended for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General is hereby increased from \$10,000 to \$25,000.

Commissioners, etc.

Fees of commissioners: For an additional amount for fees of United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), fiscal year 1925, \$550.25.

R. S. § 1014.  
18 U. S. C. § 591.

Penal institutions.

## PENAL INSTITUTIONS

Federal Industrial  
Institution for Women,  
Alderson, W. Va.,  
buildings and equip-  
ment.

Buildings and equipment: For an additional amount for "Buildings and Equipment, Penal Institutions", for repairs and extension to the warehouse at the Federal Industrial Institution for Women, Alderson, West Virginia, \$50,000, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct.

Support of prisoners.

Support of United States prisoners: For additional amounts for support of United States prisoners, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1929, \$174.50;  
For 1932, \$477.61.

45 Stat. 83.  
46 Stat. 1329.

Department of  
Labor.  
Secretary's office.

## DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

Division of Labor  
Standards.

Salaries and expenses, Division of Labor Standards: For an additional amount for salaries and expenses in connection with the promotion of health, safety, employment, stabilization, and amicable

industrial relations for labor and industry, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, \$35,960, of which amount not to exceed \$10,560 may be expended for personal services in the District of Columbia.

Traveling expenses: For an additional amount for all traveling expenses, except travel expenses incident to the deportation of aliens, under the Department of Labor, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, \$13,900.

Printing and binding: For an additional amount for printing and binding for the Department of Labor, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, \$3,560.

*Ante*, p. 297.

Traveling expenses.

*Ante*, p. 298.

Printing and binding.  
*Ante*, p. 298.

## NAVY DEPARTMENT

Navy Department.

### OFFICE OF THE SECRETARY

Secretary's office.

Claim for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in Senate Document Numbered 108 and House Document Numbered 316, Seventy-fifth Congress, \$1,745.21.

Damage claims.

42 Stat. 1066.  
34 U. S. C. § 599.

### BUREAU OF YARDS AND DOCKS

Public works, Bureau of Yards and Docks: For the following public-works and public-utilities projects at a cost not to exceed the amount stated for each project, respectively:

Bureau of Yards and Docks.

Public works, etc.

Navy Yard, New York, New York: Improvement of facilities for battleship construction, \$285,000 is hereby made available from the appropriation "Replacement of Naval Vessels, Construction and Machinery".

New York, N. Y.

Navy Yard, Philadelphia, Pennsylvania: Improvement of facilities for battleship construction, \$250,000 is hereby made available from the appropriation "Replacement of Naval Vessels, Construction and Machinery".

Philadelphia, Pa.

Navy Yard, Mare Island, California: Replacement of paint and oil storage building and accessories, destroyed by fire, \$275,000.

Mare Island, Calif.

Saint Inigoes, Maryland, Memorial: For acquisition of land and erection thereon of the memorial authorized by the Act approved June 15, 1937, \$2,000.

Saint Inigoes, Md.,  
Memorial.  
*Ante*, p. 289.

The two sums immediately preceding this paragraph, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

Disbursement and  
accounting.

### REPLACEMENT OF NAVAL VESSELS

The appropriations for construction and machinery, and armor, armament, and ammunition, as contained in the appropriation for replacement of naval vessels appearing in the Naval Appropriation Act for the fiscal year 1938, approved April 27, 1937, are hereby made available, including the same objects and under the same conditions and limitations prescribed under these heads in said appropriation Act, for the commencement of one seaplane tender, one destroyer tender, one minesweeper, one submarine tender, one fleet tug, and one

Replacement of na-  
val vessels.

Construction and  
machinery.

*Ante*, p. 114.

Specified auxiliary  
vessels.



*Ante*, p. 544.  
*Proviso.*  
Contracts.

oiler, as authorized by the Act approved July 30, 1937: *Provided*, That under the funds made available by this paragraph contracts shall not be made with private shipbuilders or orders placed with navy yards for more than two of such vessels and the cost of either shall not exceed the estimated cost thereof set forth on pages 524 and 525 of the hearings of the House Committee on Appropriations on the Third Deficiency Appropriation Bill for the fiscal year 1937.

Marine Corps.

#### MARINE CORPS

Marine Band, attendance, Grand Army encampment, 1937.  
*Ante*, p. 543.

For expenses of the United States Marine Band in attending the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, September 5 to 10, 1937, as authorized by the Act approved July 28, 1937, \$7,500.

Post Office Department.

#### POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

Second Assistant Postmaster General.

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Contract Air-Mail Service.  
49 Stat. 239.

Contract Air-Mail Service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1936, \$82,000.

Department of State.

#### DEPARTMENT OF STATE

Contingent expenses.  
*Ante*, p. 262.

Contingent expenses: For an additional amount for contingent expenses, Department of State, fiscal year 1938, including the same objects specified under this head in the Department of State Appropriation Act, 1938, and including not to exceed \$1,400 for the purchase and exchange of typewriters, adding machines, and other labor-saving devices, \$8,000.

Payment to Government of Great Britain.  
*Ante*, pp. 129, 134.

Payment to Government of Great Britain: For payment to the Government of Great Britain for the account of N. J. Moosa, \$15.59; the Shanghai Electric Construction Company, Limited, \$78.60; and the estate of Samuel Richardson, \$1,000; in all, \$1,094.19, as authorized by and in accordance with the Acts of May 6, 1937 (Public Acts Numbered 60, 63, and 75, Seventy-fifth Congress), \$1,094.19.

Payment to Government of China.  
*Ante*, pp. 130, 131, 132, 133.

Payment to Government of China: For payment to the Government of China for the account of Li Po-tien, \$300; Ch'u Shih-hsiang (Cheu S. Ziang), \$300; Ma Jui-hsiang (Mo Zung Poo), \$300; Chang Hsi Ying, \$500; Li Yingting (Li Ing Ding), \$1,500; Ling Mau Mau, \$1,500; Yao Ah-Ken, \$1,500; Chiang Ah-erh (Tsiange Ah Erh), \$1,500; and the family of Ts'ao Jung-K'uan (Dzao Yong Kwer), \$1,500; in all, \$8,900, as authorized by and in accordance with the Acts of May 6, 1937 (Public Acts Numbered 66, 67, 69, 70, 72, and 73, Seventy-fifth Congress), \$8,900.

Payment to Government of Netherlands.  
*Ante*, p. 129.

Payment to Government of Netherlands: For payment to the Government of the Netherlands for the account of the family of Miguel Paula, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 61, Seventy-fifth Congress), \$3,500.

Payment to French Government.  
*Ante*, p. 129.

Payment to French Government: For payment to the French Government for the account of Henry Borday, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 62, Seventy-fifth Congress), \$1,000.

Payment to Government of Canada.  
*Ante*, p. 130.

Payment to Government of Canada: For payment to the Government of Canada for the account of Janet Hardcastle Ross, as author-

ized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 64, Seventy-fifth Congress), \$920.45.

**Payment to Government of Chile:** For payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 67, Seventy-fifth Congress), \$2,000.

Payment to Government of Chile.  
*Ante*, p. 130.

**Payment to Government of Nicaragua:** For payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 74, Seventy-fifth Congress), \$18,508.55.

Payment to Government of Nicaragua.  
*Ante*, p. 133.

**Payment to Government of Dominican Republic:** For payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 71, Seventy-fifth Congress), \$500.

Payment to Government of Dominican Republic.  
*Ante*, p. 132.

**Payment to Government of Japan:** To reimburse the Government of Japan in the amount of yen 156,798.39 (\$48,000) together with such additional amount due to increases in rates of exchange as may be necessary to purchase this amount of yen, is<sup>1</sup> authorized by and in accordance with the Act of May 21, 1937 (Public Act Numbered 99, Seventy-fifth Congress), \$48,000.

Payment to Government of Japan.  
*Ante*, p. 199.

**Payment to Mrs. M. N. Shwamberg and others:** For payment to (1) Mrs. M. N. Shwamberg, as an act of grace, and without reference to the legal liability of the United States, as full indemnity for personal injuries sustained by her as the result of a collision between a public jinrikisha in which she was riding and a United States Marine Corps ambulance on Seymour Road, Shanghai, China, on January 31, 1935, Mexican \$1,000; (2) the Country Hospital, Shanghai, China, for treatment furnished to Mrs. Shwamberg on account of this accident, Mexican \$374.50; (3) Doctor Ed Birt, Shanghai, China, for medical treatment furnished Mrs. Shwamberg on account of this accident, Mexican \$170; as authorized by the Act of May 6, 1937 (Private Act Numbered 70, Seventy-fifth Congress), \$500, together with such additional amount due to increases in rates of exchange as may be necessary for this purpose.

Payment to Mrs. M. N. Shwamberg and others.  
*Post*, p. 954.

**Payment to Government of Mexico, and executors or administrators of estate of R. E. Fishburn, deceased:** For payment to the Government of Mexico for the account of General Higinio Alvarez, \$15,000, and to the executors or administrators of the estate of R. E. Fishburn, deceased, \$5,000, in all \$20,000, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 68, Seventy-fifth Congress).

Payment to Government of Mexico, etc.  
*Ante*, p. 131.

**Payment to certain Foreign Service officers and employees:** For payment of the sums of money authorized by and in accordance with the Act entitled "An Act for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes", approved June 22, 1937 (Private Act Numbered 170, Seventy-fifth Congress), \$20,174.46.

Payment to certain Foreign Service officers and employees.  
*Post*, p. 990.

**Interest payments on American Embassy drafts:** For payment, as authorized by Public Law Numbered 771, approved June 24, 1936, to the following individuals and corporations, or their attorneys in fact in the United States, of the amounts specified, representing interest at 4¾ per centum on certain drafts drawn on the Secretary of State by the American Embassies in Russia and Turkey and transfers which the Embassy in Turkey undertook to make by cable communications to the Secretary of State during the period from 1915

American Embassy drafts, interest payments.  
49 Stat. 1806.

<sup>1</sup> So in original.

to 1920, payment of which was deferred: Credit Lyonnais, Paris, France, \$3,569.35; Riggs National Bank, Washington, District of Columbia, \$1,607.95; Brown Brothers and Company, New York, New York, \$2,763.96; Bank of New York and Trust Company, New York, New York, \$6,216.86; Berg Bergamali, Manchester, England, \$36.36; and The Wiener Bank Verein, Berlin, Germany, \$30,208.67; in all, \$44,403.15.

Ambassadors and  
ministers, salaries.  
*Ante*, p. 263.  
Lithuania.  
*Proviso*.  
Estonia and Latvia.

Salaries of ambassadors and ministers: For an additional amount for salaries of ambassadors and ministers, fiscal year 1938, for the salary of an envoy extraordinary and minister plenipotentiary to Lithuania at \$10,000 per annum, \$8,333.34: *Provided*, That the appropriation for salaries of ambassadors and ministers, fiscal year 1938, shall be available for payment of the salary of an envoy extraordinary and minister plenipotentiary to Estonia and Latvia at \$10,000 per annum.

Eleventh Interna-  
tional Dairy Con-  
gress.  
*Ante*, p. 249.

Eleventh International Dairy Congress, Berlin, Germany: For the expenses of participation by the Government of the United States in the Eleventh International Dairy Congress, to be held in Berlin, Germany, in 1937, as authorized by and in accordance with Public Resolution Numbered 38 of the Seventy-fifth Congress, approved June 3, 1937, fiscal year 1938, \$10,000.

International Pa-  
cific Salmon Fisheries  
Commission.  
*Post*, p. 1355.

International Pacific Salmon Fisheries Commission: For the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930, including personal services; traveling expenses; charter of vessels; purchase of books, periodicals, furniture, and scientific instruments; contingent expenses; rent in the District of Columbia and elsewhere; and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1938, \$7,500.

Telecommunication  
Conference, Cairo,  
Egypt.  
*Ante*, p. 272.

Telecommunication Conference, Cairo, Egypt, 1937 and 1938, including the same objects specified under this head in the Department of State Appropriation Act, 1938, \$30,000.

Interparliamentary  
Union.  
49 Stat. 1315.

Interparliamentary Union: The unexpended balance of the appropriation for the Interparliamentary Union for the expenses of the American Group of the Interparliamentary Union made in the Department of State Appropriation Act, 1937, is hereby made available for the same purposes for the fiscal year 1938. The certificate of the president and executive secretary of the American Group of the Interparliamentary Union shall hereafter be final and conclusive upon the accounting officers in the auditing of all accounts of the American Group of the Interparliamentary Union.

Auditing of ac-  
counts.

Emergencies, Diplo-  
matic and Consular  
Service.

Emergencies arising in the Diplomatic and Consular Service: For an additional amount to enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), fiscal year 1938, \$500,000.

*Ante*, p. 121.  
R. S. § 291.  
31 U. S. C. § 107.

Inter-American Ra-  
dio Conference, partic-  
ipation expenses.  
*Ante*, p. 749.

5 U. S. C. §§ 631-  
652; 661-674.

Inter-American Radio Conference: For the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana, Cuba, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, trans-

lating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1938, \$10,000.

Payment to Cecile C. Cameron: For payment to Cecile C. Cameron, widow of Alfred D. Cameron, late a Foreign Service officer of the United States at London, England, of one year's salary of her deceased husband who died while in the Foreign Service, as authorized by the Act approved August 14, 1937 (Private Act Numbered 293, approved August 14, 1937), fiscal year 1938, \$4,400.

Seventh World's Poultry Congress and Exposition: For the expenses of participation by the Government of the United States in the Seventh World's Poultry Congress and Exposition, to be held in the United States in 1939, as authorized by and in accordance with the public resolution of July 30, 1937, \$100,000, to remain available until December 31, 1939.

R. S. § 3709.  
41 U. S. C. § 5.

Cecile C. Cameron,  
payment to.  
*Post*, p. 1056.

Seventh World's  
Poultry Congress, etc.  
*Ante*, p. 550.

#### SPECIAL MEXICAN CLAIMS COMMISSION

Special Mexican Claims Commission: For the purpose of carrying into effect the provisions of the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935, and amended August 19, 1937, including personal services in the District of Columbia or elsewhere, without regard to the provisions of any statute relating to employment; rent in the District of Columbia or elsewhere; furniture; office supplies, and equipment, including law books and books of reference; stenographic reporting and translating services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; transportation of things; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State, \$70,000, together with the unexpended balance of the appropriation made available for this purpose in the Second Deficiency Appropriation Act, fiscal year 1937, which unexpended balance is continued available until August 31, 1938.

Special Mexican  
Claims Commission.  
49 Stat. 149.

*Post*, p. 783.

R. S. § 3709.  
41 U. S. C. § 5.

*Ante*, p. 229.

#### TREASURY DEPARTMENT

##### OFFICE OF THE SECRETARY

Payments to Federal land banks on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such land bank have been reduced during the fiscal year 1938, and prior thereto, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act (12 U. S. C. 771) as amended, \$15,000,000.

Payments to the Federal Farm Mortgage Corporation on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay to the Federal Farm Mortgage Corporation such amount as the Governor of the Farm Credit Administration certifies to the Secretary of the Treasury is equal to the amount

Treasury Department.

Secretary's office.

Federal land banks,  
reductions in interest  
rate on loans.

12 U. S. C. § 771.

Federal Farm Mortgage Corporation,  
payments on account  
of interest rate reductions.

12 U. S. C. § 1016.

Quarterly payments.

U. S. Housing Authority, capital stock subscription.

Post, p. 888.

Coast Guard, etc., vessels; damage claims resulting from operations of.

49 Stat. 1514.

14 U. S. C., Supp. II, § 71.

Accounts and Deposits Office.

Contingent expenses, public moneys; portion of funds for, transferred to Accounts and Deposits, 1938.

*Ante*, p. 140.

Narcotics Bureau.

Marihuana Tax Act of 1937, expenses.

*Ante*, pp. 144, 551.

Coast Guard.

Civilian instructors, number increased.

*Ante*, p. 145.

Public Health Service.

Hot Springs Transient Medical Center Infirmary, Ark.

*Ante*, pp. 352, 357.

National Cancer Institute.

*Ante*, p. 559.

Treasurer's office.

Refunding excess duty.

12 U. S. C. § 547.

by which interest payments on mortgages held by such Corporation have been reduced during the fiscal year 1938, in accordance with the provisions of section 32 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (12 U. S. C. 1016), as amended, such payments to be made quarterly, beginning as soon as practicable after October 1, 1937, \$5,000,000.

Subscription to capital stock, United States Housing Authority: To enable the Secretary of the Treasury to make payments on account of subscriptions to the capital stock of the United States Housing Authority in accordance with the provisions of the United States Housing Act of 1937, fiscal year 1938, to remain available until expended, \$1,000,000.

Claims for damages, operation of vessels, Coast Guard and Public Health Service: To pay claims for damages adjusted and determined by the Secretary of the Treasury under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding \$3,000 in any one case", approved June 15, 1936, as fully set forth in Senate Document Numbered 104, Seventy-fifth Congress, \$77.89.

#### OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Not to exceed \$5,200 of the amount appropriated for "Contingent expenses, public moneys", in the Act making appropriations for the Treasury Department for the fiscal year 1938, may be transferred to the appropriation for "Salaries, Office of Commissioner of Accounts and Deposits, 1938".

#### BUREAU OF NARCOTICS

The appropriation for salaries and expenses, Bureau of Narcotics, contained in the Treasury Department Appropriation Act, 1938, is hereby made available for the payment of expenses in administering and enforcing the provisions of the Marihuana Tax Act of 1937.

#### COAST GUARD

That portion of the appropriation for pay and allowances, Coast Guard, contained in the Treasury Department Appropriation Act for 1938, reading "and two civilian instructors", is amended to read "and three civilian instructors".

#### PUBLIC HEALTH SERVICE

Division of Venereal Diseases: The President is hereby authorized to allot to the Public Health Service, Treasury Department, for the fiscal year 1938, not to exceed \$200,000 out of unexpended balances made available by sections 1 and 13 of the Emergency Relief Appropriation Act of 1937, for the purpose of continuing the operation and maintenance of the Hot Springs Transient Medical Center Infirmary located at Hot Springs National Park, Arkansas.

National Cancer Institute: For carrying into effect the provisions of section 7 (b) of the National Cancer Institute Act, approved August 5, 1937, fiscal year 1938, \$400,000, of which \$200,000 shall be available for the purchase of radium.

#### OFFICE OF THE TREASURER OF THE UNITED STATES

Refunding to National Bank Associations excess of duty: For refunding excess duty collected during the fiscal year 1937 and prior years authorized under section 547, title 12, United States Code, \$276.36.

The provision in the Treasury Department Appropriation Act for 1938 authorizing transfers to certain appropriations of the Treasury Department from funds available to the several agencies enumerated therein, to cover the expenses incurred on account of said agencies in the clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor, is hereby amended to authorize transfers to the same appropriations from funds available to the Civilian Conservation Corps and to corporations and banks under the supervision of the Federal Home Loan Bank Board, and the limitation contained in such Act on the total amount which may be transferred to such appropriations is hereby increased from \$250,000 to \$400,000.

#### PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Sites and construction, public buildings, Act of May 25, 1926, as amended: For continuation or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the Public Buildings Act, approved May 25, 1926, and the Acts amendatory thereof approved February 24, 1928, and March 31, 1930 (U. S. C., title 40, secs. 341-349), within the respective limits of cost fixed for such project, there shall be available not to exceed \$175,000 from any appropriations heretofore made for specific public-building projects under section 3 of the Act of May 25, 1926, as amended (U. S. C., title 40, secs. 341-349), or balances thereof which are unobligated upon the date of the approval of this Act, which appropriations or balances thereof shall be consolidated into the fund established by the provisions of the "Second Deficiency Act, fiscal year, 1930", out of appropriations made pursuant to section 5 of said Act of May 25, 1926, and shall be available to the same extent and for the same purposes as other moneys included in such fund.

Emergency construction of public buildings outside the District of Columbia: For emergency construction of public-building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the demolition of old buildings where necessary, and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this paragraph, there is hereby authorized to be appropriated a total amount of \$70,000,000 for expenditure over a period of three years, toward which amount \$22,500,000 is hereby appropriated; such projects, including the sites therefor, to be selected by the Secretary of the Treasury and the Postmaster General, acting jointly, from the public-building projects specified in House Report Numbered 1879, Seventy-third Congress, second session, as revised May 17, 1937; and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such revised report and those hereafter fixed by the Secretary of the Treasury and the Postmaster General under the provisions of this paragraph, except that the unobligated balance of the \$2,500,000 fund established by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1061), as augmented by the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1638), shall be available for the augmentation of limits of cost of projects selected under the provisions of this paragraph in an amount not exceeding 10 per centum for any project in addition to a further sum of \$500,000

Transfer provisions extended to funds available to Civilian Conservation Corps, etc.

*Ante*, p. 155.

Procurement Division, Public Buildings Branch.  
Sites and construction.

44 Stat. 632; 49 Stat. 800.

40 U. S. C. § 341; Supp. II, § 346b.

Consolidation of funds.

Emergency construction outside the District.

Salaries.

Amount authorized for 3 years.

Joint selection of sites.

Limits of cost.

Fund established by Emergency Appropriation Act, 1935, etc.  
48 Stat. 1061; 49 Stat. 1638.

Augmentations.

*Provisions.*  
Unemployment re-  
lief.

Purchase of prop-  
erty at Chicago, Ill.

Preparation of plans,  
etc.

Limit on obliga-  
tions.

Personal services.

Acquisition of land,  
etc., for Federal build-  
ings.  
47 Stat. 722, 724.

Engraving and  
Printing Bureau, ad-  
ditional building.

Grand Central Sta-  
tion Post Office, etc.,  
Building, New York.  
47 Stat. 656.

Treasury Building,  
renewal of electric  
wiring; exceptions.

Schofield Barracks,  
Hawaii; portion as a  
post office building  
site.

Winchester, Va.,  
post office.  
48 Stat. 1061.

which is hereby appropriated for the same purposes as specified in this and previous Acts: *Provided*, That with a view to relieving country-wide unemployment the Secretary of the Treasury and the Postmaster General, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Secretary of the Treasury and the Postmaster General may also select for prosecution under this program such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service, including the purchase of property at 1212 Lake Shore Drive, Chicago, Illinois, at a cost not to exceed \$450,000 and for the remodeling and furnishing thereof for the accommodation of Government activities: *Provided further*, That the Secretary of the Treasury is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this paragraph: *Provided*, That the total obligations under the \$70,000,000 program herein authorized shall not exceed \$30,000,000 for the fiscal year 1938 but the Secretary of the Treasury is authorized to enter into contracts for any or all of the projects selected under this program in amounts not exceeding the respective estimated total costs of individual projects, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, the personal services of temporary professional, technical, or nontechnical employees to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended: *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided for in this paragraph, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

Bureau of Engraving and Printing, additional building: For completion of construction of an additional building for the Bureau of Engraving and Printing and other Treasury Department activities, \$2,325,000.

Grand Central Station Post Office and Office Building, New York, New York: For carrying out the provisions of the Act approved July 12, 1932 (47 Stat. 656), authorizing purchase of land and building thereon, for a post-office building and for other Government purposes, \$10,107,065.94, payment from such sum to constitute complete settlement.

Treasury Building, Washington, District of Columbia: For renewing the electric wiring system of the Treasury Building, except elevators, and changing said system from direct current to alternating current, including feeders, switches, transformer vaults, switchboards, panel boards, and other requisite equipment, fiscal year 1938, \$100,000.

Honolulu, Territory of Hawaii, Schofield Barracks post-office station: There is hereby transferred to the jurisdiction and control of the Secretary of the Treasury, as a site for a post-office building, a portion of the military reservation at Schofield Barracks, Oahu Island, Territory of Hawaii, particularly described under this heading in House Document Numbered 215 of the Seventy-fifth Congress.

Winchester, Virginia, post office: The limit of cost authorized under the provisions of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, for the acquisition of additional land and the extension and remodeling of the post-office building at Winchester, Virginia, is hereby increased from \$62,000 to \$65,753.

Memorial to persons killed in the wreck of the Navy dirigible Shenandoah: For carrying out the provisions of the Act of May 22, 1936, entitled "An Act authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah", as amended by the Act entitled "An Act to permit the erection of the Shenandoah Memorial in or near Ava, Ohio", approved August 2, 1937, fiscal year 1938, \$2,500: *Provided*, That no part of this appropriation shall be available for expenditure until title to the land upon which the tablet or marker is to be erected is acquired by the United States.

Cedar City, Utah, post office: The authorization for the purchase of a site and the construction of a post office at Cedar City, Utah, contained in the Second Deficiency Appropriation Act, approved July 3, 1930, as decreased by Act approved June 30, 1932, is hereby extended to include the purchase of an additional tract of land for the enlargement of the post-office site (Act of July 3, 1930, 46 Stat., p. 894).

American Printing House for the Blind: To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind as provided by law, fiscal year 1938, \$50,000.

Shenandoah Memorial, Ava, Ohio, erection expenses.  
49 Stat. 1371.

*Ante*, p. 557.

*Proviso.*  
Title to land.

Cedar City, Utah, post office, additional land.  
46 Stat. 894; 47 Stat. 412.

American Printing House for the Blind.  
*Ante*, p. 744.

## WAR DEPARTMENT—CIVIL FUNCTIONS

### CORPS OF ENGINEERS, RIVER AND HARBOR WORK

Improvement of Indian River Inlet and Bay, Delaware: For the improvement of Indian River Inlet and Bay, Delaware, in accordance with plans and conditions set forth in report of the Chief of Engineers dated July 7, 1937, submitted in response to resolution of the Committee on Rivers and Harbors of the House of Representatives, adopted February 21, 1935, at an estimated cost of \$443,000, \$160,000, payable from the appropriation for rivers and harbors contained in the War Department Civil Appropriation Act, 1938; and in addition there shall be contributed by local interests \$160,000.

Flushing Bay, New York: For improvement in accordance with River and Harbor Committee Document Numbered 35, Seventy-fifth Congress, \$505,000, payable from the appropriation for rivers and harbors contained in the War Department Civil Appropriation Act, 1938.

War Department, civil functions.

River and harbor work.

Indian River Inlet and Bay, Del., improvement.

*Ante*, p. 516.

Flushing Bay, N. Y.  
*Ante*, p. 516.

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

### PROPERTY DAMAGE CLAIMS

SEC. 1. (a) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in House Document Numbered 313 of the Seventy-fifth Congress, as follows:

Federal Civil Works Administration, \$15;  
Federal Emergency Relief Administration, \$30.70;  
Veterans' Administration, \$125.52;  
Works Progress Administration, \$9,442.08;  
Department of Agriculture, \$13,137.26;  
Department of Commerce, \$291;  
Department of the Interior, \$2,490.46;  
Department of Labor, \$117.23;

Judgments and authorized claims.

Property damage claims.

Settlement of, not in excess of \$1,000.

42 Stat. 1066.  
31 U. S. C. §§ 215-217.

Offices designated.



Navy Department, \$333.15;  
 Treasury Department, \$428.10;  
 War Department, \$9,409.02;  
 Post Office Department (payable from postal revenues), \$395.93;  
 In all, \$36,215.45.

Private property  
 damage claims.  
 Payment of.  
 42 Stat. 1086.  
 31 U. S. C. §§ 215-  
 217.

(b) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in Senate Document Numbered 110 of the Seventy-fifth Congress, as follows:

Offices designated.

Veterans' Administration, \$170.05;  
 Works Progress Administration, \$2,041.36;  
 Department of Agriculture, \$981.12;  
 Department of the Interior, \$49.88;  
 Navy Department, \$325.40;  
 Treasury Department, \$25.00;  
 War Department, \$1,099.34;  
 Post Office Department (payable from postal revenue), \$54.12;  
 In all, \$4,746.27.

Judgments, United  
 States courts.

Payment of.

24 Stat. 505.  
 28 U. S. C. § 41, par.  
 20; §§ 258, 761-765.

#### JUDGMENTS, UNITED STATES COURTS

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761-765), certified to the Seventy-fifth Congress in House Document Numbered 314 under the following departments and establishments, namely:

Offices designated.

United States Maritime Commission, \$12,273.01;  
 Department of Agriculture, \$758.35;  
 Department of Labor, \$1,005;  
 Navy Department, \$49;

Interest.

In all, \$14,085.36, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Suits in admiralty.  
 43 Stat. 1112.  
 46 U. S. C. §§ 781-  
 789.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781-789), and certified to the Seventy-fifth Congress in House Document Numbered 314, under the following departments, namely:

Department of Labor, \$8,767.27;  
 Navy Department, \$1,070.19;

Interest.

In all, \$9,837.46, together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

Judgments against  
 collectors of internal  
 revenue under certain  
 Acts.

48 Stat. 31; 40 Stat.  
 901.

(c) For payment of judgments rendered by United States district courts against certain collectors of internal revenue and covering costs in suits to enjoin the Government of the United States from collecting taxes levied pursuant to the Agricultural Adjustment Act, approved May 12, 1933, and the Bituminous Coal Conservation Act,

approved August 30, 1935, and certified to the Seventy-fifth Congress in House Document Numbered 314 under the Treasury Department, \$3,892.07, together with such additional sum as may be necessary to pay interest as and when specified in such judgments.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Time of payment.

Interest.

## JUDGMENTS, COURT OF CLAIMS

Judgments, Court of Claims.

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in Senate Document Numbered 105 and House Document Numbered 319, under the following departments and establishments, namely:

Emergency Conservation Work (Civilian Conservation Corps), \$20,000;

Offices designated.

Veterans' Administration, \$472.15;

Department of the Interior (Indians), \$10,099.25;

Navy Department, \$39,883.54;

War Department, \$770,123.46;

In all, \$840,578.40, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Interest.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Time of payment.

## AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 315, Seventy-fifth Congress, there is appropriated as follows:

Payment of.

18 Stat. 110.  
31 U. S. C. § 713.23 Stat. 254.  
5 U. S. C. § 266.

**Legislative Establishment:** For Library Building and Grounds, \$6.53.

Legislative Establishment.

**Independent Offices:** For National Industrial Recovery, Civil Works Administration, \$2,317.30.

Independent Offices.

For Federal Civil Works Administration, \$1,492.06.

For National Industrial Recovery, Electric Home and Farm Authority, \$187.50.

For Farm Credit Administration, \$21.35.

For Civil Service Commission, \$7.58.

For Interstate Commerce Commission, \$2.50.

For Army pensions, \$75.

For Army and Navy pensions, \$439.85.

For military and naval compensation, Veterans' Bureau, \$170.

For military and naval compensation, Veterans' Administration, \$859.16.

Department of Agriculture.

For medical and hospital services, Veterans' Bureau, \$920.84.  
 For salaries and expenses, Veterans' Administration, \$2,180.02.  
**Department of Agriculture:** For miscellaneous expenses, Department of Agriculture, \$42.34.  
 For salaries and expenses, Extension Service, \$5.66.  
 For salaries and expenses, Bureau of Animal Industry, \$279.14.  
 For salaries and expenses, Bureau of Plant Industry, \$14.88.  
 For salaries and expenses, Forest Service, \$515.31.  
 For Emergency Conservation Fund (transfer from War to Agriculture, Act June 19, 1934), \$125.45.

Department of Commerce.

**Department of Commerce:** For air-navigation facilities, \$709.91.  
 For general expenses, Lighthouse Service, \$93.31.  
 For salaries and expenses, Bureau of the Census, \$1.09.  
 For miscellaneous expenses, Bureau of Fisheries, \$72.08.

District of Columbia.

**District of Columbia:** For National Zoological Park, District of Columbia, \$1.13, payable from the revenues of the District of Columbia.

Department of the Interior.

**Department of the Interior:** For temporary government for Virgin Islands, \$4.50.

For reindeer for Alaska, \$99.  
 For general expenses, General Land Office, \$256.50.  
 For Emergency Conservation Fund (transfer from War to Interior, Act March 31, 1933), \$6,521.04.  
 For purchase and transportation of Indian supplies, \$117.37.  
 For Indian school support, \$1,004.60.  
 For industry among Indians, \$169.80.  
 For conservation of health among Indians, \$86.17.  
 For Indian boarding schools, \$532.55.  
 For obtaining employment for Indians, \$108.71.  
 For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, \$3.86.  
 For education of natives of Alaska, \$21.93.  
 For Indian agency buildings, \$448.50.  
 For support of Indians and administration of Indian property, \$33.23.

Department of Justice.

For agriculture and stock raising among Indians, \$3.30.  
 For Emergency Conservation Fund (transfer from War to Interior, Indians, Act March 31, 1933), \$48.  
 For salaries, Bureau of Indian Affairs, \$242.77.  
**Department of Justice:** For books for judicial officers, \$40.  
 For books, Department of Justice, \$40.  
 For detection and prosecution of crimes, \$30.50.  
 For salaries and expenses, Bureau of Prohibition, \$268.20.  
 For salaries, fees, and expenses of marshals, United States courts, \$1,540.79.  
 For salaries and expenses of clerks, United States courts, 40 cents.  
 For fees of commissioners, United States courts, \$97.08.  
 For fees of jurors and witnesses, United States courts, \$284.92.  
 For miscellaneous expenses, United States courts, \$107.75.  
 For supplies for United States courts, \$51.  
 For salaries and expenses, Division of Investigation, \$102.70.  
 For United States penitentiary, Atlanta, Georgia, maintenance, \$6.81.

Department of Labor.

For salaries and expenses, Bureau of Prisons, \$1.74.  
 For support of United States prisoners, \$2,792.69.  
**Department of Labor:** For salaries and expenses, Immigration and Naturalization Service, \$5.07.  
 For investigation of cost of living in the United States, \$45.

- Navy Department:** For transportation, Bureau of Navigation, \$70.60. Navy Department.
- For engineering, Bureau of Engineering, \$2,465.87.
- For construction and repair, Bureau of Construction and Repair, \$927.03.
- For pay of the Navy, \$61.72.
- For pay, subsistence, and transportation, Navy, \$16,611.51.
- For maintenance, Bureau of Supplies and Accounts, \$971.26.
- For aviation, Navy, \$98,167.07.
- For pay, Marine Corps, \$25,210.16.
- For general expenses, Marine Corps, \$546.42.
- For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$243.12.
- For prize money, Battle of Manila Bay, \$53.88.
- For judgments, bounty for destruction of enemy's vessels, \$44.94.
- Department of State:** For contingent expenses, Foreign Service, \$83.78. Department of State.
- For transportation of Foreign Service officers, \$41.53.
- For cost of living allowance, Foreign Service, \$2.78.
- Treasury Department:** For collecting the revenue from customs, \$205.71. Treasury Department.
- For collecting the internal revenue, \$491.72.
- For Coast Guard, \$120.
- For pay and allowances, Coast Guard, \$1,866.80.
- For contingent expenses, Coast Guard, \$31.53.
- For fuel and water, Coast Guard, \$648.97.
- For repairs to Coast Guard vessels, \$966.86.
- For salaries and expenses, Bureau of Narcotics, \$1.50.
- For furniture and repairs of same for public buildings, \$11.87.
- For general expenses, Procurement Division, \$128.21.
- For mechanical equipment for public buildings, \$739.24.
- For operating expenses, Treasury buildings, Procurement Division, \$20.61.
- For operating supplies for public buildings, \$67.68.
- For outfits, Coast Guard, \$20.
- For quarantine service, \$1.02.
- War Department:** For pay, and so forth, of the Army, \$17,454.45. War Department.
- For pay of the Army, \$782.86.
- For increase of compensation, Military Establishment, \$791.87.
- For extra pay to volunteers, War with Spain, \$88.40.
- For extra pay to Regular Army, War with Spain, \$15.60.
- For arrears of pay, bounty, and so forth, \$339.19.
- For Army transportation, \$738.48.
- For clothing and equipage, \$37.65.
- For replacing clothing and equipage, \$127.20.
- For barracks and quarters, \$334.01.
- For horses, draft and pack animals, \$25.40.
- For subsistence of the Army, \$168.59.
- For supplies, services, and transportation, Quartermaster Corps, \$33.25.
- For general appropriations, Quartermaster Corps, \$1,042.21.
- For claims of officers and men of the Army for destruction of private property, Act March 3, 1885, \$158.89.
- For registration and selection for military service, \$159.25.
- For ordnance service and supplies, Army, \$53.64.
- For mileage of the Army, \$35.14.
- For National Guard, \$3,127.48.

For arming, equipping, and training the National Guard, \$259.12.  
 For Reserve Officers' Training Corps, \$106.31.  
 For Organized Reserves, \$82.69.  
 For citizens' military training camps, \$5.69.  
 For civilian military training camps, \$32.75.  
 For travel, military and civil personnel, War Department, \$10.02.  
 For regular supplies of the Army, \$9.90.  
 For Air Corps, Army, \$56,775.08.  
 For cemeterial expenses, War Department, \$1.98.  
 For Emergency Conservation Fund (transfer to War, Act June 19, 1934), \$26.

Post Office Department.

**Post Office Department—Postal Service (out of the postal revenues):** For clerks, first- and second-class post offices, \$16.34.

For compensation to postmasters, \$200.18.

For contract air-mail service, \$16,964.16.

For furniture, carpets, and safes for public buildings, \$90.03.

For indemnities, domestic mail, \$134.

For operating supplies for public buildings, Post Office Department, \$6.07.

For post-office equipment and supplies, \$1,084.

For rent, light and fuel, \$4,828.29.

For rural-delivery service, \$268.79.

For special-delivery fees, 55 cents.

For star-route service, \$1.72.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), \$282,897.09, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 107, Seventy-fifth Congress, there is appropriated as follows:

#### LEGISLATIVE ESTABLISHMENT

Government Printing Office.

For public printing and binding, Government Printing Office, \$8.88.

#### INDEPENDENT OFFICES

Independent Offices.

For National Industrial Recovery, Civil Works Administration, \$24.

For Federal Civil Works Administration, \$5.47.

For Interstate Commerce Commission, \$119.

For farmers' crop production and harvesting loans, Farm Credit Administration, \$154.60.

For loans and relief in stricken agricultural areas (transfer to Farm Credit Administration), \$1,330.

For loans to farmers in drought- and storm-stricken areas, emergency relief, \$450.

For agricultural credits and rehabilitation, emergency relief, \$18.59.

For salaries and expenses, Farm Credit Administration, \$1,961.67.

For Army and Navy pensions, \$146.75.

For medical and hospital services, Veterans' Bureau, \$1.

For salaries and expenses, Veterans' Administration, \$1,152.91.

18 Stat. 110.  
31 U. S. C. § 713.

22 Stat. 254.  
5 U. S. C. § 266.

## DEPARTMENT OF AGRICULTURE

For salaries and expenses, library, Department of Agriculture, Department of Agriculture.  
\$1.95.

For salaries and expenses, Bureau of Animal Industry, \$19.66.

For salaries and expenses, Bureau of Dairy Industry, \$12.

For salaries and expenses, Bureau of Plant Industry, \$78.40.

For salaries and expenses, Forest Service, \$33.

For salaries and expenses, Bureau of Chemistry and Soils, \$480.

For salaries and expenses, Bureau of Entomology and Plant Quarantine, \$30.04.

For salaries and expenses, Bureau of Agricultural Economics, \$75.

For chinch bug control, Department of Agriculture, \$105.96.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Agriculture), \$48.26.

For National Industrial Recovery, Resettlement Administration, subsistence homesteads (transfer to Agriculture), \$1,549.31.

For emergency relief and public works, Agriculture, wildlife refuges, \$12.67.

## DEPARTMENT OF COMMERCE

For air-navigation facilities, \$74.

Department of Commerce.

For general expenses, Lighthouse Service, \$27.76.

## DEPARTMENT OF THE INTERIOR

For Emergency Conservation Fund (transfer from War to Interior, Act March 31, 1933), \$550.

Department of the Interior.

For salaries and expenses, office of national parks, buildings and reservations, \$1.50.

For National Park Service, \$400.

For contingent expenses, Department of the Interior, \$553.09.

For purchase and transportation of Indian supplies, \$15.39.

For support of Indians and administration of Indian property, \$36.91.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, \$9.78.

For education, Sioux Nation, \$573.30.

For conservation of health among Indians, \$99.82.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), \$4.21.

For Emergency Conservation Fund (transfer from War to Interior, Indians, Act June 19, 1934), \$1,294.20.

For Indian service supply fund, \$91.25.

## DEPARTMENT OF JUSTICE

For fees of commissioners, United States courts, 67 cents.

For fees of jurors and witnesses, United States courts, \$41.09.

For miscellaneous expenses, United States courts, \$169.50.

For support of United States prisoners, \$21,969.80.

For salaries and expenses, Bureau of Prisons, \$1.

Department of Justice.

For salaries, fees, and expenses of marshals, United States courts, \$98.48.

For salaries and expenses of district attorneys, United States courts, \$26.

For salaries and expenses, Division of Investigation, \$1.

For salaries and expenses, Alcoholic Beverage Unit, Department of Justice, \$1.

For United States penitentiary, Atlanta, Georgia, maintenance, \$1,815.45.

## DEPARTMENT OF LABOR

Department of Labor.

For expenses of regulating immigration, \$2.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Labor), \$9.52.

## NAVY DEPARTMENT

Navy Department.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$30.73.

For pay, subsistence, and transportation, Navy, \$351.88.

For maintenance, Bureau of Supplies and Accounts, \$1.94.

For aviation, Navy, \$5,135.87.

For pay, Marine Corps, \$64.95.

For ordnance and ordnance stores, Bureau of Ordnance, \$6,670.15.

For construction and repair, Bureau of Construction and Repair, \$7,111.42.

For engineering, Bureau of Engineering, \$5,897.91.

For instruments and supplies, Bureau of Navigation, \$47.42.

## DEPARTMENT OF STATE

Department of State.

For office and living quarters, Foreign Service, \$10.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), \$16.75.

## TREASURY DEPARTMENT

Treasury Department.

For collecting the revenue from customs, \$2.41.

For collecting the internal revenue, \$325.09.

For contingent expenses, Coast Guard, \$18.13.

For fuel and water, Coast Guard, \$44.60.

For pay and allowances, Coast Guard, \$149.99.

For quarantine service, \$1.19.

For pay of personnel and maintenance of hospitals, Public Health Service, \$13.89.

For operating expenses, Treasury buildings, Procurement Division, \$24.50.

For vaults and safes for public buildings, \$7.50.

## WAR DEPARTMENT

War Department.

For pay, and so forth, of the Army, \$2,002.09.

For pay of the Army, \$600.82.

For increase of compensation, Military Establishment, \$2.

For extra pay to volunteers, War with Spain, \$30.

For Army transportation, \$193.54.

For clothing and equipage, \$55.66.

For barracks and quarters, \$3,682.41.

For subsistence of the Army, \$952.49.

For supplies, services, and transportation, Quartermaster Corps, \$12.78.

For general appropriations, Quartermaster Corps, \$265.16.

For National Guard, \$102.06.

For organized reserves, \$3.31.

For Air Corps, Army, \$205.12.

For seacoast defenses, Panama Canal, Coast Artillery, \$250.

For replacing ordnance and ordnance stores, \$145.15.

For Coast Artillery school, Fort Monroe, Virginia, \$300.

For library, Surgeon General's Office, \$1.82.

For barracks and quarters, other buildings, and utilities, \$74.54.

For Emergency Conservation Fund (transfer to War, Act June 19, 1934), \$5,410.23.

For loans and relief in stricken agricultural areas (transfer from Emergency Conservation Work to War, Act June 19, 1934), \$51.15.

#### POST OFFICE DEPARTMENT—POSTAL SERVICE

##### (Out of the Postal Revenues)

For clerks, first- and second-class post offices, \$50.06.

For compensation to postmasters, \$54.52.

For indemnities, domestic mail, \$61.60.

For railroad transportation and mail messenger service, \$51.97.

For rent, light, and fuel, \$1,676.

For village delivery service, \$563.80.

Total, audited claims, section 4 (b) \$78,410.44, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Court for the Southern District of New York against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fifth Congress in Senate Document Numbered 109 and House Document Numbered 318, under the Department of Labor, \$17,174.15.

SEC. 6. For the payment of claims allowed by the General Accounting Office pursuant to Public Act Numbered 436 of the Seventy-fourth Congress, which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 317, Seventy-fifth Congress, under the War Department, \$95.27.

SEC. 7. This Act may be cited as the "Third Deficiency Appropriation Act, fiscal year 1937".

Approved, August 25, 1937.

Post Office Department.

Postal service.

Total; additional sum, increases in rates of exchange.

Judgments against collectors of customs.

R. S. § 989.  
28 U. S. C. § 842.

Army disbursing officers.  
49 Stat. 1107.  
23 Stat. 254.  
5 U. S. C. § 266.

Short title.

#### [CHAPTER 758]

#### JOINT RESOLUTION

Relative to determination and payment of certain claims against the Government of Mexico.

August 25, 1937  
[H. J. Res. 437]  
[Pub. Res., No. 70]

Whereas the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935 (49 Stat. 149), provides for the establishment of the Special Mexican Claims Commission and confers upon that Commission jurisdiction to hear and determine all claims against the Republic of Mexico, notices of which were filed with the Special Claims Commission, United States and Mexico, established by a convention of September 10, 1923, in which the said Commission failed to award compensation, except such claims as may be found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims and recognized as such by the General Claims Commission; and

Claims against the Government of Mexico.

Preamble.

48 Stat. 1844; 49 Stat. 149.



49 Stat. 3071.

43 Stat. 1730.  
48 Stat. 1844.  
43 Stat. 1722.  
49 Stat. 3128.

Whereas the said Special Claims Convention of April 24, 1934, provides that the jurisdiction in and validity of the claims found by the said committee to be general claims shall be determined in each case when examined and adjudicated by the Commissioners or Umpire in accordance with the provisions of the General Claims Convention of September 8, 1923, and the protocol of April 24, 1934, or the Special Claims Convention of September 10, 1923, and the protocol of June 18, 1932, in the event it shall be found by the Commissioners or Umpire to have been improperly eliminated from the special claims settlement; and

Whereas certain claims filed with the said Special Claims Commission, United States and Mexico, established by the said convention of September 10, 1923, were found by the said committee to be general claims but have not yet been the subject of any determination by the said General Claims Commission; and

49 Stat. 149.

Whereas the said Special Mexican Claims Commission, established in pursuance of the said Act approved April 10, 1935, expires by the terms of the said Act on August 31, 1937; and

Whereas, by the terms of the protocol of April 24, 1934, between the United States of America and the United Mexican States, the said General Claims Commission expires on October 24, 1937, and the two Governments have undertaken, upon the basis of the joint report of the members of the said Commission, to conclude a convention for the final disposition of the claims pending before the said Commission, the said convention to take either the form of an agreement for an en-bloc settlement of the said claims or the form of an agreement for the disposition of the claims upon their individual merits by reference to an umpire; and

Whereas the committee provided for in the Special Claims Convention of April 24, 1934, found that the amount to be paid by the Government of Mexico in settlement of the special claims comprehended in that convention was \$5,448,020.14, it being understood that the sum thus determined was susceptible of increase after express decision of the General Claims Commission in case the said Commission might decide to be within the jurisdiction<sup>1</sup> of the Special Commission any one or more of the claims which the said committee found to be general claims; and

Whereas the said Special Mexican Claims Commission, in the event that the total amount of the awards made by it upon all claims is greater than the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, is required by the said Act approved April 10, 1935, to reduce the awards on a percentage basis to such amount; and

Whereas, in the circumstances set forth, it is not now possible to ascertain which, if any, of the claims found by the said committee to be general claims will be found by the said General Claims Commission to be special claims, nor what will be the amount of the total en-bloc settlement provided for in the said Special Claims Convention of April 24, 1934; and

Whereas payments on awards of the said Special Mexican Claims Commission from funds paid to the Government of the United States by the Government of Mexico under the Special Claims Convention of April 24, 1934, should not, in justice to the beneficiaries, be deferred until the question of the jurisdiction of the claims now pending before the General Claims Commission, by virtue of the classification of such claims as general claims by the joint committee, shall have been finally determined in the manner provided for in the said convention of April 24, 1934, or in the said protocol of the same date: Therefore be it

<sup>1</sup> So in original.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the jurisdiction of the Special Mexican Claims Commission established in pursuance of the Act approved April 10, 1935 (49 Stat. 149), shall not be deemed to include any of the claims found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims.

SEC. 2. That for the purposes of the reduction of awards on a percentage basis as provided for in section 4 of the Act approved April 10, 1935 (49 Stat. 149), the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims shall, subject to the provision in section 3 hereof, be deemed to be the sum of \$5,448,020.14, set forth in the report of the said committee provided for in the said convention of April 24, 1934.

SEC. 3. That, in the event of the reclassification as special claims of any of the claims found by the said committee to be general claims, the claims so reclassified shall be passed upon by said Special Mexican Claims Commission during its existence and thereafter by a Commission to be established in conformity with the said Act of April 10, 1935, and the total amount payable by the Government of Mexico to the Government of the United States on account of the claims so reclassified, together with interest on all deferred payments under the Special Claims Convention of April 24, 1934, shall be added to the sum of \$5,448,020.14 set forth in the report of the said committee. The total amount awarded by the Commission so established upon the claims so reclassified shall be added to the total amount of the original awards made by the Special Mexican Claims Commission, and any necessary readjustment of the awards of the Special Mexican Claims Commission and those that may be made by the Commission to be established pursuant to this section shall be made by the Secretary of the Treasury on the basis prescribed by section 4 of the Act approved April 10, 1935.

SEC. 4. Upon the certification to the Secretary of the Treasury of the awards of the Special Mexican Claims Commission, he shall proceed to make payments as provided for in section 9 of the Act approved April 10, 1935; and upon the certification to the Secretary of the Treasury of awards upon any claims reclassified as special claims he shall, after making the readjustments provided for in section 3 of this resolution, accord priority of payment on such awards until the beneficiaries thereof shall have been placed upon an equal percentage basis as to payments with the beneficiaries of awards of the Special Mexican Claims Commission.

SEC. 5. Section 6 of the Act approved April 10, 1935, creating the Special Mexican Claims Commission, and for other purposes, is amended to read as follows:

"SEC. 6. The Commission shall complete its work within three years from the date on which it undertakes the performance of its duties, at which time all powers, rights, and duties conferred by this Act upon the Commission shall terminate. If the President finds the Commission has completed its work prior to such expiration date, he may terminate all such powers, rights, and duties of the Commission by Executive order."

Approved, August 25, 1937.

Special Mexican Claims Commission, jurisdiction redefined.  
49 Stat. 149.

49 Stat. 3071.

Basic amount of payment by Mexico.

49 Stat. 150.

Action where general claims reclassified as special claims.

Additional payments.

Payment of awards.  
49 Stat. 151.

49 Stat. 150.

Duration of Commission extended.  
*Asie*, p. 771.

Termination prior to expiration date.

## [CHAPTER 759]

## AN ACT

August 25, 1937

[H. R. 5787]

[Public, No. 355]

Granting pensions and increases of pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.

Pensions.  
Service in Indian  
wars from 1817 to 1898.

27 Stat. 281; 37 Stat.  
679; 39 Stat. 1199; 44  
Stat. 1361.  
Rates; degree of dis-  
ability.

Provisos.  
Age pension.

Helpless or blind  
persons.

Inmates of National  
or State Soldiers'  
Home.

Effective dates.

Provisos.  
Pension of those re-  
quiring attendant.

Effective date of  
payments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the 1st day of the next month after the enactment of this Act, all surviving soldiers of the various Indian wars and campaigns who are now on the pension rolls or who may hereafter be placed thereon under the provisions of the Acts of July 27, 1892, June 27, 1902, and May 30, 1908, as amended by the Act of February 19, 1913, or under the Act of March 4, 1917, or the Act of March 3, 1927, shall be entitled to receive a pension not exceeding \$55 per month and not less than \$20 per month, proportioned to the degree of inability to earn a support as determined by the Administrator of Veterans' Affairs, and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated: *Provided*, That any such person who has reached the age of sixty-two years shall be entitled to receive a pension of \$25 a month; in case such person has reached the age of sixty-eight years, \$35 a month; in case such person has reached the age of seventy-two years, \$45 a month; and in case such person has reached the age of seventy-five years, \$55 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be paid the rate of \$72 a month: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any National or State Soldiers' Home shall be paid more than \$50 per month under this Act.

SEC. 2. That the increased rates of pension herein provided shall be effective from and after the 1st day of the month following the enactment of this Act as to those then in receipt of Indian War service pension, and as to those with claims then pending who are shown to be entitled to pension under one of the Acts enumerated herein, and as to all other cases where entitlement under this Act is shown, such pension shall commence from the date of filing application therefor in the Veterans' Administration on and after the enactment of this Act, and in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That pension of \$72 per month granted under this Act on the basis of requiring the regular aid and attendance of another person shall commence from the date of receipt in the Veterans' Administration of the evidence showing the requisite condition or the date of filing application therefor on and after the enactment of this Act, whichever is the later date, but such pension of \$72 per month shall not be awarded to any person for any period during which he is maintained in an institution by the United States Government or a political subdivision thereof and is being furnished with nursing or attendant service: *Provided further*, That in no event shall the rates of pension provided in this Act be effective prior to the first day of the month following the enactment thereof.

Approved, August 25, 1937.

## [CHAPTER 760]

## AN ACT

To define, regulate, and license real-estate brokers, business chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions; and for other purposes.

August 25, 1937  
[H. R. 6563]  
[Public, No. 356]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

District of Columbia.  
Regulation of real-estate brokers, etc.

## ENACTMENT AND PROHIBITION CLAUSE

SECTION 1. That on and after ninety days from the date of enactment of this Act it shall be unlawful in the District of Columbia for any person, firm, partnership, copartnership, association, or corporation (foreign or domestic) to act as a real-estate broker, business chance broker, or real-estate salesman, or to advertise or assume to act as such, without a license issued by the Real Estate Commission of the District of Columbia.

Enactment and prohibition clause.

## DEFINITIONS AND EXCEPTIONS

SEC. 2. Whenever used in this Act "real-estate broker" means any person, firm, association, partnership, or corporation (foreign or domestic) who, for another and for a fee, commission, or other valuable consideration, or who, with the intention or in the expectation or upon the promise of receiving or collecting a fee, commission, or other valuable consideration, lists for sale, sells, exchanges, purchases, rents, or leases or offers or attempts or agrees to negotiate a sale, exchange, purchase, lease, or rental of an estate or interest in real estate, or collects or offers or attempts or agrees to collect rent or income for the use of real estate, or negotiates or offers or attempts or agrees to negotiate, a loan secured or to be secured by a mortgage, deed of trust, or other encumbrance upon or transfer of real estate: *Provided, however,* That this definition shall not apply to the sale of space for advertising of real estate in any newspaper, magazine, or other publication. A "business chance broker" within the meaning of this Act is any person, firm, partnership, association, copartnership, or corporation who for a compensation or valuable consideration sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the goodwill of an existing business for others as a whole or partial vocation.

Definitions and exceptions.

"Real-estate broker."

"Real-estate salesman" means a person employed by a licensed real-estate broker to list for sale, sell, or offer for sale, to buy or offer to buy, or to negotiate the purchase or sale, or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent, or place for rent, any real estate, or collect or offer or attempt to collect rent or income for the use of real estate for or in behalf of such real-estate broker.

*Provided.*  
Advertising space in newspapers, etc.  
"Business chance broker."

"Real-estate salesman."

Persons employed by a licensed real-estate broker in a clerical capacity, as collectors, or in similar subordinate and administrative positions shall not be required to obtain licenses.

Collectors, etc.

One act for a compensation or valuable consideration of buying or selling real estate for or of another, or offering for another to buy, sell, or exchange real estate, or leasing, renting, or offering to lease or rent real estate, except as herein specifically excepted, shall constitute the person, firm, partnership, copartnership, association, or corporation performing, or offering or attempting to perform any of the acts enumerated herein, a real-estate broker or a real-estate salesman within the meaning of this Act.

Business defined.

**Exemptions.**

The provisions of this Act shall not apply to receivers, referees, administrators, executors, guardians, trustees, or other persons appointed or acting under the judgment or order of any court; or public officers while performing their official duty, or attorneys at law in the ordinary practice of their profession.

**Real Estate Commission.****CREATION OF COMMISSION****Creation, qualifications, etc.**

SEC. 3. There is hereby created the Real Estate Commission of the District of Columbia. The Commissioners of the District of Columbia within thirty days after the enactment of this Act shall appoint two persons, not more than one of whom shall have been actively engaged in or closely connected with the business or vocation of real-estate broker or real-estate salesman within five years immediately prior to appointment, who shall serve as members of said Real Estate Commission of the District of Columbia. In addition thereto, the assessor of the District of Columbia shall serve, ex-officio, as a member of said Real Estate Commission but without added compensation for his services as such. One member of said Commission shall be appointed for a term of one year; one member shall be appointed for a term of two years, and until their successors are appointed and qualified; thereafter the term of the members of said Commission shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed for the unexpired term. The Commissioners of the District of Columbia may remove members of the Real Estate Commission at any time for cause.

**Assessor, ex-officio member.****Terms, vacancies, removal, etc.****Chairman; election of treasurer, etc.**

The assessor, ex-officio, shall be the chairman of said Real Estate Commission, which is hereby authorized and empowered to elect a treasurer of said Commission and to do all things necessary and convenient for carrying into effect the provisions of this Act and the rules and regulations promulgated from time to time by the Commissioners.

**Secretary, assistants, etc.**

The Commissioners of the District of Columbia shall employ and remove at their pleasure a secretary and such assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act and shall prescribe their duties and fix their compensation in accordance with the provisions of the Classification Act of 1923, as amended.

**Office space, etc.**

The Commissioners of the District of Columbia shall provide for the use of the Real Estate Commission such office space, furniture, stationery, fuel, light, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act.

**Seal, authentication of records, etc.**

The Commission shall adopt a seal with such design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission, duly certified and authenticated by the seal of said Commission, shall be received in evidence in all courts equally and with like effect as the original. The Commission shall keep a record of all its proceedings and a complete stenographic record of all hearings authorized under this Act.

**Record to be kept.****Public inspection of records.**

All records kept in the office of the Commission under authority of this Act shall be open to public inspection under reasonable rules and regulations to be prescribed by the Commission.

**Member's allowance.**

Each member of the Commission, except the ex-officio member, shall receive an allowance at the rate of \$10 for each day of seven hours such member is actually engaged in the performance of duties as a member of the Commission: *Provided, however,* That no member shall receive in any one year a sum greater than \$2,000.

**Protest. Limitation.**

The payment of such allowance shall be made from any unexpended balance in the treasury of said Commission remaining on June 30 of the year during which the services have been rendered, and if the unexpended balance is insufficient to meet the total amount of such allowance the rate of compensation shall be reduced to a rate which will permit payment from such unexpended balance. Such expenses shall in no event exceed the total receipts; and if at the close of each fiscal year any funds unexpended in excess of the sum of \$1,000 shall be paid into the Treasury of the United States to the credit of the District of Columbia: *Provided*, That no expenses incurred under this Act shall be a charge against the funds of the United States or the District of Columbia.

All fees and charges payable under the provisions of this Act shall be paid to the treasurer of the Commission. The Commission is hereby authorized to refund any license fee or tax, or portion thereof, erroneously paid or collected under this Act.

It shall be the duty of the auditor of the District of Columbia to audit the accounts of the Commission at the end of each fiscal year and make a report thereof in writing to the Commissioners of the District of Columbia. The said auditor shall have free access to all books of accounts, papers, and records of the said Commission.

The Commissioners of the District of Columbia are hereby authorized and empowered to make and enforce, revise, or repeal whatever reasonable regulations may be necessary to carry out the provisions of this Act.

#### QUALIFICATIONS FOR LICENSE

SEC. 4. No license under the provisions of this Act shall be issued to any person who has not attained the age of twenty-one years, nor to any person who cannot read, write, and understand the English language; nor until the Commission has received satisfactory proof that the applicant is trustworthy and competent to transact the business of a real-estate broker or real-estate salesman in such a manner as to safeguard the interests of the public.

In determining competency, the Commission shall require proof that the applicant for a broker's license has a fair understanding of the general purposes and effect of deeds, mortgages, land contracts of sale and leases, a general and fair understanding of the obligations between principal and agent, as well as of the provisions of this Act. Such proof of competency to act as broker shall not be required of any applicant who shall furnish proof within one hundred and twenty days from the effective date of this Act of two years' experience as real-estate broker or real-estate salesman within the District of Columbia.

No license shall be issued to any person, firm, partnership, copartnership, association, or corporation whose application has been rejected in the District of Columbia or any State within three months prior to date of application, or whose real-estate license has been revoked in the District of Columbia or any State within one year prior to date of application.

#### APPLICATION FOR LICENSE

SEC. 5. Every applicant for a license under the provisions of this Act shall apply therefor in writing upon blanks furnished by the Real Estate Commission.

The application of every person for a real-estate broker's license or a real-estate salesman's license shall be accompanied by the recommendation of at least two residents of the District of Columbia, real-estate owners, who have owned real estate in the District of Columbia

Funds available.

Pay reduction, if fund insufficient.

Credit of excess.

*Proviso.*  
Restriction on incurred expenses.

Payment of fees, etc., to treasurer; refunds.

Audit of accounts.

Administrative regulations.

Qualifications for license.

Application for license.

Requirements.  
Recommendation of two or more resident property owners.

for a period of at least one year and who are not related to the applicant but who have personally known the applicant for a period of at least six months prior to the date of application, which recommendation shall certify that the applicant bears a good reputation for honesty, truthfulness, fair dealing, and competency, and recommend that a license be granted to the applicant.

Location of business, etc.

The application of every firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the location of the place or places for which said license is desired and set forth the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding date of application, accounting for such entire period. Such applications shall also state the name and residence of each individual member or officer of said applicant who actively participates in the brokerage business thereof.

Members, etc.

Additional information required.

The application of every individual member or officer of a firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the full name and residence address of the applicant and the full name and business address of the firm, partnership, copartnership, association, or corporation with which he is or will be associated, the length of time he has been so associated, and in what capacity. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding date of application, accounting for such entire period.

Individual broker's license.

The application of each person for an individual real-estate broker's license shall state the full name of the applicant, his business address, and residence address. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding the date of application, accounting for such entire period.

Real-estate salesman's license.

The application of every person for a real-estate salesman's license shall state the full name of the applicant, his residence address, and the name and business address of the real-estate broker by whom he is or will be employed. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding the date of application, accounting for such entire period. Such application shall be accompanied by a written statement by the broker by whom the applicant is employed or is about to be employed, stating that in his opinion the applicant is honest, truthful, and of good reputation, and recommending that the license be granted to the applicant.

Affidavit and fee to accompany.

Every application for a license under the provisions of this Act shall be sworn to by the applicant and shall be accompanied by the license fee herein prescribed. In the event that the Commission does not approve the application for a license the fee shall be returned to the applicant.

Every application for a license shall be accompanied by a bond in the sum of \$2,500 in the case of a broker and \$1,000 in the case of a salesman, running to the District of Columbia, executed by two good and sufficient sureties, to be approved by the Commission, or executed by a surety company duly authorized to do business in the District of Columbia: *Provided, however,* That no bond shall be required of any firm, partnership, copartnership, association, or corporation when the application of every member or officer of such firm, partnership, copartnership, association, or corporation actively participating in the brokerage business thereof is accompanied by a bond as provided for in this section. Said bond shall be in form approved by the Commission, and conditioned that the applicant shall conduct himself and his business in accordance with the requirements of this Act; and for his failure so to do any person aggrieved thereby shall have, in addition to his right of action against the principal thereof, a right to bring suit against the surety on said bond either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, representation, transaction, or conduct of the principal which may be prohibited by this Act or enumerated as one of the causes for suspension or revocation of a license granted hereunder. If a recovery be had on any bond the licensee shall restore the bond to its original amount.

Nothing in this Act shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries as the case may be.

No suit or action against the surety on any such bond shall be brought later than one year from the accrual of the cause of action thereon. The surety may terminate its liability under such bond by giving thirty days' written notice thereof, served either personally or by registered mail, to the principal and to the Commission; and upon giving such notice the surety shall be discharged from all liability under such bond for any act or omission of the principal occurring after the expiration of thirty days from the date of service of such notice. Unless on or before the expiration of such period the principal shall duly file a new bond in like amount and conditioned as the original in substitution of the bond so terminated, the license of the principal shall likewise terminate upon the expiration of such period. Upon making any payment on account of its bond, the surety shall immediately notify the Commission.

The Commission, with due regard to the paramount interest of the public, may require other reasonable proof of the honesty, truthfulness, and integrity of the applicant.

#### PROCEDURE WHEN LICENSE IS REFUSED APPLICANT

SEC. 6. The Commission, after an application in proper form has been filed, shall, before refusing to issue a license, set the application down for a hearing and determination as hereinafter provided in section 9.

#### DETAILS RELATING TO LICENSE

SEC. 7. The Commission shall cause to be issued to each licensee a license in such form and size as shall be prescribed by the Commission. Every license shall show the name and address of the licensee, and if licensee is a member or officer of a firm, partnership, copartnership, association, or corporation, the full name and address of such firm, partnership, copartnership, association, or corporation shall also be shown on said license. Licenses issued to real-estate

Bond.

*Proviso.*  
Exemptions.

Form; conditions,  
etc.

Liability of surety.

Time limitation.

Integrity, etc., re-  
quirements.

Procedure when li-  
cense refused.

Detailed provisions  
relating to license.



salesmen shall in addition show the name and address of the real-estate broker by whom the said salesman is or will be employed. Each license shall have imprinted thereon the seal of the Commission, and in addition to the foregoing shall contain such matter as shall be prescribed by the Commission. The license of each real-estate salesman shall be delivered or mailed to the real-estate broker by whom such real-estate salesman is employed and shall be kept in the custody and control of such broker. It shall be the duty of each real-estate broker to conspicuously display his license in his place of business.

At any time within six months, but not thereafter, after the issuance of an original license the Commission may, upon its own motion, and shall, upon the verified complaint, in writing, of any person, provided such complaint, or such complaint together with evidence, documentary or otherwise, presented therewith, shall make out a prima facie case that the licensee is unworthy to hold such license, notify the licensee, in writing, that the question of his honesty, competency, truthfulness, and integrity will be reopened and determined de novo. Such written notice may be served by delivery thereof personally to the licensee or by mailing same by registered mail to the last known business address of the licensee. Thereupon the Commission may require and procure further proof of the licensee's trustworthiness and competency, and if such proof shall not be satisfactory such license shall be recalled and shall thereafter be null and void. Upon the recall of any such license it shall be the duty of the licensee to surrender to the Commission such license. The fee for an original real-estate broker's license and every renewal thereof shall be \$50.

No fee shall be charged for any original license or renewal thereof issued to any firm, partnership, copartnership, association, or corporation all of whose members or officers actively participating in the brokerage business thereof have been issued a broker's license.

The fee for an original real-estate salesman's license and every annual renewal thereof shall be \$10.

Every license shall expire on the 1st day of July of each year, except that the original or initial licenses, first issued under the provisions of this Act, shall expire on the 1st day of July 1938, subject, however, to revocation as hereinbefore provided.

The Commission shall cause to be issued a new license for each ensuing year, in the absence of any reason or condition which might warrant the refusal of the granting of a license, upon receipt of the written request of the applicant and the annual fee therefor, as herein required. The revocation of a broker's license shall automatically suspend every real-estate salesman's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge if granted during the same license year in which the original license is granted.

No person, firm, partnership, copartnership, association, or corporation engaged in the business or acting in the capacity of a real-estate broker or a real-estate salesman within the District of Columbia shall bring or maintain any action in the courts of the District of Columbia for the collection of compensation for any services performed as a real-estate broker or a real-estate salesman or enforcement of any contract relating to real estate without alleging and proving that such person, firm, partnership, copartnership, association, or corporation was a duly licensed real-estate broker or real-estate salesman at the time the alleged cause of action arose.

Reopening of question of qualifications of licensee.

Recall of license.

Surrender of license.

Broker's license, fee.

Exemptions.

Salesman's license, fee.

Expiration.

Annual issuance of new license.

Actions for collecting compensation.

Every real-estate broker shall maintain a place of business in the District of Columbia. If a real-estate broker maintains more than one place of business within the District of Columbia, a duplicate license shall be issued to such broker for each branch office maintained; and there shall be no fee charged for any such duplicate license.

Maintenance of place of business.

Notice in writing shall be given to the Commission by each licensee of any change of principal business location, whereupon the Commission shall cause to be issued a new license for the unexpired period without charge. The change of business location without notification to the Commission shall automatically cancel the license theretofore issued.

Change of location.

When any real-estate salesman shall be discharged or shall terminate his employment with the real-estate broker by whom he is employed, it shall be the duty of such real-estate broker to immediately deliver or mail by registered mail to the Commission such real-estate salesman's license. The real-estate broker shall, at the time of delivering or mailing such real-estate salesman's license to the Commission, address a communication by registered mail to the last-known residence address of such real-estate salesman, which communication shall advise such real-estate salesman that his license has been delivered or mailed to the Commission. A copy of such communication to the real-estate salesman shall accompany the license when mailed or delivered to the Commission. It shall be unlawful for any real-estate salesman to perform any of the acts contemplated by this Act, either directly or indirectly, under authority of said license from and after three days following such delivery or mailing of the said license by said broker to the Commission.

Salesman's license, return on termination of service.

Acting without license.

There shall be no additional fee for the reissuance of a salesman's license necessitated by the change of employers, nor shall such change work a revocation or require a renewal of the salesman's bond.

Reissuance.

#### SUSPENSION OR REVOCATION OF LICENSE FOR CAUSES ENUMERATED

SEC. 8. The Commission may, upon its own motion, and shall, upon the verified complaint in writing of any person, provided such complaint or such complaint together with evidence, documentary or otherwise, presented in connection therewith, make out a prima-facie case, investigate the conduct of any real-estate broker or real-estate salesman, or any person who shall assume to act in either such capacity within the District of Columbia, and shall have the power to suspend or to revoke any license issued under the provisions of this Act, at any time where the licensee has by false or fraudulent representation obtained a license; or where the licensee, in performing or attempting to perform any of the acts mentioned herein, has—

Suspension or revocation of license; causes enumerated.

- (a) Made any substantial misrepresentation;
- (b) Made any false promises of a character likely to influence, persuade, or induce;
- (c) Pursued a continued and flagrant course of misrepresentation, or making of false promises through agents or salesmen, or advertising or otherwise;
- (d) Acted for more than one party in a transaction without the knowledge of all parties for whom he acts;
- (e) Accepted a commission or valuable consideration as a real-estate salesman for the performance of any of the acts specified in this Act from any person, except an employer who is a licensed real-estate broker;
- (f) Represented or attempted to represent a real-estate broker other than the employer, without the express knowledge and consent of the employer;

(g) Failed, within a reasonable time, to account for or to remit any money, valuable documents, or other property coming into his possession which belong to others;

(h) Demonstrated such unworthiness or incompetency to act as a real-estate broker or salesman as to endanger the interests of the public;

(i) Paid or offered to pay a commission or valuable consideration to any person for acts or services in violation of this Act, with knowledge of such violation or where reasonable diligence has not been exercised to acquire such knowledge;

(j) Been guilty of any other conduct, whether of the same or a different character from that hereinbefore specified, which constitutes fraudulent or dishonest dealing;

(k) Using any other trade name or insignia of membership in any real-estate organization of which the licensee is not a member;

(l) Disregarding or violating any provisions of this Act;

(m) Guaranteeing, or having authorized or permitted any broker or salesman to guarantee, future profits which may result from the resale of real property;

(n) Placing a sign on any property offering it for sale or for rent or offering it for sale or rent without the written consent of the owner or his authorized agent;

(o) Soliciting, selling, or offering for sale real property by offering free lots, or conducting lotteries, or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property; or

(p) Failing to restore the bond to its original amount after a recovery on the bond as provided in section 5.

**PROVISION FOR HEARING BEFORE APPLICATION IS REFUSED OR LICENSE  
SUSPENDED OR REVOKED**

Hearing before application refused or license suspended, etc.

**SEC. 9.** The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a public hearing, and at least ten days prior to the date set for the hearing it shall notify the applicant or licensee in writing of any charges made and shall afford said applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of same personally to the applicant or licensee or by mailing same by registered mail to the last-known business address of such applicant or licensee. If said applicant or licensee be a salesman the Commission shall also notify the broker employing him, or whose employ he is about to enter, by mailing notice by registered mail to the broker's last-known address. The hearing on such charges shall be at such time and place as the Commission shall prescribe. The Commission shall have the power to issue subpoenas or take testimony of any person by deposition in the same manner as prescribed by law in judicial procedure in the District Court of the United States for the District of Columbia in civil cases. It shall also have the power to require the production of books, records, papers, and documents by subpoena or otherwise. Any party to any hearing before the Commission shall have the right to the attendance of witnesses in his behalf at such hearing upon making request therefor to the Commission and designating the person or persons sought to be subpoenaed. If the Commission shall determine that any applicant is not qualified to receive a license, a license shall not be granted to said applicant, and if the Commission shall determine that any licensee is guilty of a violation of any of the provisions of this Act, his or its licenses shall be suspended or

revoked. All evidence before and findings of fact made by the Commission and questions of law involved in any final decision or determination of the Commission shall be subject to review by the District Court of the United States for the District of Columbia upon a writ of certiorari, mandamus, appeal, or by any other method permissible under the rules and practices of said court or the laws of the District of Columbia, and the said court may make such further orders with respect thereto as justice may require: *Provided, however,* That application is made by the aggrieved party to the court within thirty days after any determination by the Commission or within sixty days after formal request shall be made upon it for action. Such application shall operate as a stay of any action or finding of the Commission revoking or suspending a license, and until final decision by the District Court of the United States for the District of Columbia such licensee shall have the right to continue in business.

Evidence, etc., subject to court review.

*Provided.*  
Time limitation.

Application to act as stay.

Appeal from court judgment.

An appeal may be taken from the judgment of the said court on any such appeal on the same terms and conditions as an appeal is taken in civil actions.

Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes, upon the payment to the Commission of such reasonable fee as it shall, by general rule or regulation, prescribe.

#### NONRESIDENT BROKERS AND SALESMEN

Nonresident brokers and salesmen.

Provisions governing.

SEC. 10. A nonresident of the District of Columbia may become a real-estate broker or a real-estate salesman in the District of Columbia by conforming to all of the conditions of this Act, except that the application of such person for a license need not be accompanied by the recommendation of real-estate owners in the District of Columbia prescribed in paragraph 2 of section 5 of this Act, but in lieu thereof the Commission shall require the filing of like recommendations by similarly qualified real-estate owners of property in the State, Territory, or county of such applicant's residence.

(2) The Commission may recognize, in lieu of the recommendation and statements otherwise required by this Act to accompany an application for a license, the valid and existing license issued to a nonresident to act as a real-estate broker or salesman by any State having a law for the licensing of such brokers and salesmen similar to this Act, upon payment of the license fee prescribed by this Act and the filing by the applicant with the Commission of a duly authenticated copy of applicant's license issued by such State: *Provided, however,* That every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper courts of the District of Columbia by the service of any process or pleadings authorized by the laws of the United States applying to the District of Columbia on the secretary of the Commission, said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due or personal service had been made upon said applicant in the District of Columbia. Said instrument containing such consent shall be duly acknowledged and if made by a corporation shall be authenticated by the seal thereof. All such applications, except from individuals, shall be accompanied by a duly certified copy of the resolution of the proper officers or managing board, authorizing the proper officer to execute the same. In case any process or pleadings mentioned in the Act are served upon the secretary of the Commission, it shall be by duplicate copies, one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail

*Provided.*  
Consent to service.

Bond.

*Ante*, p. 791.

to the residence address given by the applicant against which said process or pleadings are directed: *And provided further*, That every nonresident of the District of Columbia shall file a bond in form and contents the same as is required of applicants under section 5 of this Act.

## POWER TO OBTAIN EVIDENCE

Power to obtain evidence.

SEC. 11. Each member of the Commission and its duly authorized representatives may administer oaths to witnesses.

In case of the refusal of any person to comply with any subpoena issued hereunder or to testify to any matter regarding which he may lawfully be interrogated, the District Court of the United States for the District of Columbia, or any judge thereof, on application of any member of the Commission, shall issue an order requiring such person to comply with such subpoena and to testify or either, and any failure to obey such order of the court may be punished by the court as a contempt thereof.

## OTHERS EXEMPT

Further exemptions.

SEC. 12. It shall not be necessary for any trustee or auctioneer acting under authority of a power of sale in a mortgage, deed of trust, or similar instrument securing the payment of a bona fide debt nor any bank, trust company, building and loan association, insurance company, or any land-mortgage or farm-loan association, organized under the laws of the United States, when engaged in the transaction of business within the scope of its corporate powers and provided by law, to obtain a license under this Act.

List of licensees.

## PUBLICATION OF LIST OF LICENSEES

Publication, etc.

SEC. 13. The Commission shall publish at least annually a list of the names and addresses of all licensees licensed by it under the provisions of this Act and of all persons whose license has been suspended or revoked within one year, together with a succinct report of its work during the year. Such list shall be mailed by the Commission to any person in the District of Columbia upon request.

## FRAUDULENT TRANSFERS OR LOANS

Fraudulent transfers, etc.

SEC. 14. It shall be unlawful for any person, firm, association, partnership, or corporation to enter into or become a party to any contract, agreement, or understanding, or in any manner whatsoever to consider, combine, conspire, or act with another or others, (a) to execute a deed conveying real property in the District of Columbia that is not a bona-fide sale but is instead a simulated sale of such property executed for the purpose and with the intent of misleading others as to the value of such property, and which in fact does so mislead and/or defraud others, to their detriment; or (b) to execute a mortgage or deed of trust upon real property situated in the District of Columbia that does not in fact represent security for a bona-fide indebtedness, but which is in reality a simulated transaction, executed for the purpose and with the intent of misleading or deceiving others as to the value of the property and which does mislead, deceive, or defraud others to their detriment.

## CONVICTION OF CRIME

Conviction of crime.

SEC. 15. Where during the term of any license issued by the Commission the licensee shall be convicted in a court of competent jurisdiction in the District of Columbia or any State (including Federal

courts) of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses and a duly certified or exemplified copy of the record in such proceedings shall be filed with the Commission, the Commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted.

In the event that any licensee shall be indicted in the District of Columbia or any State or Territory (including Federal courts) for forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or like offense or offenses, and a certified copy of the indictment be filed with the Commission, or other proper evidence thereof be to it given, the Commission shall have authority, in its discretion, to suspend the license issued to such licensee pending trial upon such indictment.

No license shall be issued by the Commission to any person known by it to have been, within five years theretofore, convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses, or to any copartnership of which such person is a member, or to any association or corporation of which said person is an officer, director, or employee, or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly. In the event of the revocation or suspension of the license issued to any member of a copartnership, or to any officer of an association or corporation, the license issued to such copartnership, association, or corporation, shall be revoked by the commission, unless, within a time fixed by the commission, where a copartnership, the connection therewith of the member whose license has been revoked shall be severed and his interest in the copartnership and his share in its activities brought to an end, or where an association or corporation, the offending officer shall be discharged and shall have no further participation in its activity.

#### PENALTIES

SEC. 16. Any person or corporation violating any provision of this Act shall upon conviction thereof, if a person, be punished by a fine of not more than \$500, or by imprisonment for a term not to exceed six months, or by both such fine and imprisonment, in the discretion of the court; and, if a corporation, be punished by a fine of not more than \$1,000. Any officer, director, employee, or agent of a corporation, or member, employee, or agent of a firm, partnership, copartnership, or association, who shall personally participate in or be accessory to any violation of this Act by such firm, partnership, copartnership, association, or corporation, shall be subject to the penalties herein prescribed for individuals.

Penalties.

This Act shall not be construed to release any person, partnership, association, or corporation from civil liability or criminal prosecution under the laws applying to the District of Columbia.

All prosecutions for violation of this Act shall be begun in the police court of the District of Columbia in the name of the District of Columbia and under the direction and charge of the corporation counsel of the District of Columbia. The corporation counsel of the District of Columbia and his assistants shall also be counsel for the Commission in all suits to which it may be a party, and shall advise the Commission and at its request attend any and all hearings which it may hold in the performance of its duties hereunder.

Prosecutions.

SAVING CLAUSE

Saving clause.

SEC. 17. If any section, subsection, sentence, clause, phrase, or requirement of this Act is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions thereof. The Congress of the United States hereby declares that it would have passed this Act, and each section, subsection, sentence, clause, phrase, and requirement thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or requirements be declared unconstitutional or invalid.

REPEALING CLAUSE

Conflicting laws repealed.

SEC. 18. All laws or parts of laws in conflict with this Act be, and the same are hereby, repealed.

Effective date.

SEC. 19. This Act, except as otherwise provided herein, shall take effect on and after ninety days from the date of its enactment.

Approved, August 25, 1937.

[CHAPTER 761]

AN ACT

August 25, 1937

[H. R. 7531]

[Public, No. 357]

To afford protection of pension benefits to peacetime veterans placed on the pension rolls after March 19, 1933, and for other purposes.

Pensions.  
Protection of benefits to peacetime veterans on rolls after March 19, 1933.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph X of Executive Order Numbered 6098, dated March 31, 1933 (Veterans' Regulation Numbered 10 (38 U. S. C., ch. 12, appendix)), as amended by paragraph 1, Executive Order Numbered 6568, dated January 19, 1934 (Veterans' Regulation Numbered 10 (c)), is hereby canceled as of the date of enactment of this Act.*

Approved, August 25, 1937.

[CHAPTER 762]

AN ACT

August 25, 1937

[H. R. 7700]

[Public, No. 358]

To incorporate the American Chemical Society.

American Chemical Society incorporated.  
Incorporators.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons following: Robert T. Baldwin, Edward Bartow, Erle M. Billings, E. K. Bolton, Willard H. Dow, Gustavus J. Esselen, Arthur J. Hill, Townes R. Leigh, Thomas Midgely, Junior, Charles L. Parsons, R. E. Swain, E. R. Weidlein, Frank C. Whitmore, H. H. Willard, and R. E. Wilson, being persons who are now directors of the American Chemical Society, a corporation existing under the laws of the State of New York, their associates and successors duly chosen, and such other persons as now are or may hereafter be associated with them as officers or members of said American Chemical Society, are hereby incorporated and constituted and declared to be a body corporate by the name of American Chemical Society.*

Objects.

SEC. 2. That the objects of the incorporation shall be to encourage in the broadest and most liberal manner the advancement of chemistry in all its branches; the promotion of research in chemical science and industry; the improvement of the qualifications and usefulness of chemists through high standards of professional ethics, education, and attainments; the increase and diffusion of chemical knowledge; and by its meetings, professional contacts, reports, papers, discussions, and publications, to promote scientific interests and inquiry, thereby

fostering public welfare and education, aiding the development of our country's industries, and adding to the material prosperity and happiness of our people.

SEC. 3. That the American Chemical Society shall have power to make its own organization, including its constitution, bylaws, rules, and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of members, their division into classes, and all other matters needful and useful to promote the objects of the society. It shall hold an annual meeting at such place in the United States as may from time to time be designated.

Corporate powers.

SEC. 4. That the American Chemical Society shall, whenever called upon by the War or Navy Department, investigate, examine, experiment, and report upon any subject in pure or applied chemistry connected with the national defense, the actual expense of such investigations, examinations, experiments, and reports to be paid from appropriations which may have been made for that purpose by Congress, but the society shall receive no compensation whatever for any services to the Government of the United States: *Provided*, That the title to any and all inventions and discoveries made in the course of such investigations, examinations, and experiments that, in the opinion of the Secretary of the Navy or the Secretary of War, involve the national defense, shall vest in the Government of the United States, and the Government of the United States shall have unlimited license under all other inventions and discoveries.

Cooperation with War and Navy Departments.

*Proviso.*  
Title to inventions and discoveries.

SEC. 5. That the American Chemical Society be, and the same is hereby, authorized and empowered to receive, by devise, bequest, donation, or otherwise, either real or personal property and to hold the same absolutely or in trust, and to invest, reinvest, and manage the same and to apply said property and the income arising therefrom to the objects of its creation.

Acceptance of gifts, bequests, etc.

SEC. 6. That as soon as may be possible after the passage of this Act a meeting of the directors hereinbefore named shall be held at the city of Washington in the District of Columbia by notice served in person or by mail addressed to each director at his place of residence by the Secretary of the American Chemical Society, a New York corporation, and the said directors, or a majority thereof, being assembled, shall organize and proceed to adopt bylaws, to elect officers and appoint committees, and generally to organize the said corporation; and said directors herein named, on behalf of the corporation hereby incorporated, shall thereupon receive, take over, and enter into possession, custody, and management of all property, real or personal, of the corporation heretofore known as the American Chemical Society, incorporated as hereinbefore set out under the laws of the State of New York on November 9, 1877, and to all its rights, contracts, claims, and property of any kind or nature; and the several officers of such corporation, or any other person having charge of any of the securities, funds, real or personal, books or property thereof, shall, on demand, deliver the same to the said directors appointed by this Act or to the persons appointed by them to receive the same; and the directors of the existing corporation and the directors herein named shall and may take such other steps as shall be necessary to carry out the purposes of this Act.

Organization under national charter.

SEC. 7. That the rights of the creditors of the said existing New York corporation known as the American Chemical Society shall not in any manner be impaired by the passage of this Act, or the transfer of the property hereinbefore mentioned, nor shall any liability or obligation for the payment of any sums due or to become due, or any claim or demand, in any manner or for any cause existing against the said New York corporation, be released

Rights of creditors.



or impaired; but such corporation hereby incorporated is declared to succeed to the obligations and liabilities and to be held liable to pay and discharge all of the debts, liabilities, and contracts of the said New York corporation so existing to the same effect as if such new corporation had itself incurred the obligation or liability to pay such debt or damages, and no such action or proceeding before any court or tribunal shall be deemed to have abated or been discontinued by reason of the passage of this Act.

Report to Congress.

SEC. 8. That the corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such reports shall not be printed as public documents.

Amendment, etc.

SEC. 9. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Effective date.

SEC. 10. That this Act shall date from the 1st day of January 1938.  
Approved, August 25, 1937.

# [CHAPTER 763]

## AN ACT

To amend section 76 of the Judicial Code with respect to the terms of the United States District Court at Tallahassee, Florida.

August 25, 1937  
[H. R. 3493]  
[Public, No. 359]

Judicial Code,  
amendment.  
26 Stat. 1108.  
28 U. S. C. § 149.

Florida judicial districts.

Southern district.

Terms.

Provisos.  
Accommodations at  
Fort Pierce.

At Orlando; officers' quarters, courtrooms, etc., in new Federal building.

Appointments for  
Fort Pierce.

Northern district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 76 of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 149), is amended to read as follows:

"SEC. 76. (a) The State of Florida is divided into two districts, to be known as the northern and southern districts of Florida.

"(b) The southern district shall include the territory embraced on the 1st day of July 1937 in the counties of Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Lake, Lee, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Saint Johns, Saint Lucie, Sarasota, Seminole, Sumter, Suwannee, Union, and Volusia.

"(c) Terms of the district court for the southern district shall be held at Ocala on the third Monday in January; at Tampa on the second Monday in February; at Key West on the first Mondays in May and November; at Jacksonville on the first Monday in December; at Fernandina on the first Monday in April; at Miami on the fourth Monday in April; at Orlando on the first Monday in October; and at Fort Pierce on the first Monday in February: *Provided*, That suitable rooms and accommodations for holding court at Fort Pierce are furnished without expense to the United States: *Provided further*, That suitable rooms and accommodations for holding court at Orlando are furnished without expense to the United States: *And provided further*, That nothing in this Act shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the sessions of said court in any new Federal building which may be constructed in Orlando, Florida. No deputy clerk or deputy marshal of the court shall be appointed for Fort Pierce. The district court for the southern district shall be open at all times for the purpose of hearing and deciding causes of admiralty and maritime jurisdiction.

"(d) The northern district shall include the territory embraced on the 1st day of July 1937 in the counties of Alachua, Bay, Calhoun,

Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington.

"(e) Terms of the district court for the northern district shall be held at Tallahassee on the second Monday in February and on the Tuesday next after the first Monday in September; at Pensacola on the first Mondays in May and November; at Marianna on the first Monday in April; at Gainesville on the second Mondays in June and December; and at Panama City on the first Monday in October: *Provided*, That suitable rooms and accommodations for holding court at Panama City are furnished without expense to the United States."

SEC. 2. The Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Florida", approved June 15, 1933, as amended; the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Fort Pierce, Florida", approved August 22, 1935; and the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Northern District of Florida at Panama City, Florida", approved May 6, 1936, are hereby repealed.

Approved, August 25, 1937.

#### [CHAPTER 764]

#### AN ACT

Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Sinepuxent Bay in Worcester County, Maryland, at Ocean City, Maryland, to replace a bridge already in existence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across Sinepuxent Bay, at Worcester Street, or South Division Street or Wicomico Street, in Worcester County, Maryland, at Ocean City, Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That notwithstanding the designation made in this Act, if, within three months after the passage of this Act, in response to a duly called and authorized election, the duly qualified and registered voters of Ocean City, Maryland, should, after participation in such special election, designate a preference for the erection of said bridge at some point other than at one of the three locations set forth in this Act, then such designation of the location of said bridge shall be the point fixed for the building of said bridge, anything in this Act to the contrary notwithstanding: *Provided further*, That in the event any site for said bridge be selected of which there is no record in the Office of the Chief of Engineers, said site shall be subject to the final approval of the Secretary of War.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are

Terms.

*Proviso.*  
Courtrooms at Panama City.

Acts repealed.  
48 Stat. 147; 49 Stat. 683, 1261.

August 25, 1937

[H. R. 7506]

[Public, No. 360]

Sinepuxent Bay.  
Maryland may  
bridge, at Ocean City.

Construction.  
34 Stat. 84.  
33 U. S. C. §§ 491-498.

*Proviso.*  
Location.

Approval of site.

Acquisition of property for approaches, etc.

Condemnation pro-  
ceedings.

Amendment, etc.

possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 25, 1937.

[CHAPTER 765]

AN ACT

August 25, 1937

[H. R. 7867]

[Public, No. 361]

To amend section 11 of the Act of Congress approved July 10, 1890 (26 Stat., ch. 664), relating to the admission into the Union of the State of Wyoming.

Wyoming.  
Sale of certain lands  
by, price limitation.  
26 Stat. 224.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Act approved July 10, 1890 (26 Stat., ch. 664), relating to the admission of the Territory of Wyoming into the Union, be, and the same is hereby, amended by inserting the word "five" in place of the word "ten" in the last line thereof.

Approved, August 25, 1937.

[CHAPTER 766]

AN ACT

August 25, 1937

[H. R. 7950]

[Public, No. 362]

To amend the District of Columbia Alcoholic Beverage Control Act.

District of Colum-  
bia Alcoholic Bever-  
age Control Act,  
amendments.  
48 Stat. 328.  
Application for re-  
tailer's license, adver-  
tisement of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (b) of section 14 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows:

"SEC. 14. (b) Before granting a retailer's license, except a retailer's license class E or class F, the Board shall give notice by advertisement published once a week and for at least two weeks in some newspaper of general circulation published in the District of Columbia. The advertisement so published shall contain the name of the applicant and a description by street and number, or other plain designation, of the particular location for which the license is requested and the class of license desired. Such notice shall state that remonstrants are entitled to be heard before the granting of such licenses and shall name the time and place of such hearing. There shall also be posted by the Board a notice, in a conspicuous place, on the outside of the premises. This notice shall state that remonstrants are entitled to be heard before the granting of such license and shall name the same time and place for such hearing as set out in the public advertisement; and, if remonstrance against the granting of such license is filed, no final action shall be taken by the Board until the remonstrant shall have had an opportunity to be heard, under rules and regulations prescribed by said Board. Any person willfully removing, obliterating, marring, or defacing said notice shall be deemed guilty of a violation of this Act. The provisions of this subsection relating to notice by advertisement in some newspaper of general circulation shall not apply to the issuance of a license to a retailer for any place of business if such retailer is the holder of a license of the same class for the same place and if said last-mentioned license is in effect on the date the application for the new license is filed."

Protests.

Posting notices on  
premises.

Action deferred  
pending hearing.

Defacing, etc., of  
notice.

Renewals.

SEC. 2. That subsection (d) of section 14 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows:

"SEC. 14. (d) A separate application shall be filed with respect to each place of business. The required license fee shall be paid to the collector of taxes and his duplicate receipt shall accompany the application for license. In the event the license is denied the fee shall be returned. Every such application shall be verified by the affidavit of the applicant, if an individual, or by all of the members of a partnership, or by the president or vice president of a corporation. If any false statement is knowingly made in such application, or in any accompanying statement under oath which may be required by the Commissioners or the Board, the person making the same shall be deemed guilty of perjury. The making of a false statement in any such application, or in any such accompanying statement, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the Board, constitute sufficient cause for the revocation of the license."

SEC. 3. That the second paragraph of section 17 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows:

"That in the event the Board at any time shall order the suspension of any license a notice may be posted by the Board, in a conspicuous place, on the outside of the licensed premises, at or near the main street entrance thereto; which notice shall state that the license theretofore issued to the licensee has been suspended and shall state the time for which said license is suspended, and state that the suspension is ordered because of a violation of the District of Columbia Alcoholic Beverage Control Act, or of the Commissioners' regulations adopted under authority of said District of Columbia Alcoholic Beverage Control Act."

SEC. 4. That the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby further amended by adding at the end thereof the following new section:

"SEC. 39. (a) It shall be unlawful for anyone, except a public or common carrier or the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act, to transport, import, bring, or ship or cause to be transported, imported, brought, or shipped into the District of Columbia from without the District of Columbia any wines, spirits, or beer in a quantity in excess of one gallon at any one time.

"(b) No public or common carrier shall transport or bring into the District of Columbia wine, spirits, or beer in a quantity in excess of one gallon at any one time for delivery to any one person in the District of Columbia other than the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act.

"(c) The provisions of this section shall not apply to bona-fide possessors of old stocks who are moving into the District of Columbia nor to embassies or diplomatic representatives of foreign countries, nor to wines imported for religious or sacramental purposes, nor to wine, spirits, and beer to be delivered to the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act.

"(d) The penalty for violation of this section shall consist of the forfeiture of the beverages transported, imported, or shipped or caused to be transported, imported, brought, or shipped in violation of this section, and a fine of not more than \$500 or imprisonment for not more than six months."

Approved, August 25, 1937.

48 Stat. 329.

Separate application for each place of business.

Verification.

False statements.

Penalty.

49 Stat. 900.

Posting of notice of suspension on premises.

48 Stat. 337.

Limitation on importations, etc.

Common carriers.

Exemptions.

Penalty provisions.

## [CHAPTER 767]

## AN ACT

August 25, 1937

[H. R. 8081]

[Public, No. 363]

Disbursing officers.  
Credits for overpay-  
ments of wages on  
Civil Works Admin-  
istration projects.

Recovery waived.

Authorizing the Comptroller General of the United States to allow credit in the accounts of disbursing officers for overpayments of wages on Civil Works Administration projects and waiving recovery of such overpayments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers for any overpayment of wages heretofore made to or on behalf of any person for services rendered in connection with any project under the Federal Civil Works Administration, nothing to suggest fraud appearing, and in such cases where credit is allowed in the accounts of the disbursing officer under this Act no recovery shall be required from the person receiving the overpayment.

Approved, August 25, 1937.

## [CHAPTER 768]

## AN ACT

August 25, 1937

[S. 1075]

[Public, No. 364]

Pipestone National  
Monument, Minn.  
Establishment.

Description.

To establish the Pipestone National Monument in the State of Minnesota.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lands lying in Pipestone County, Minnesota, within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east, seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway.

Administration.

SEC. 2. The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

Approved, August 25, 1937.

Quarrying of red pipestone.

[CHAPTER 769]

AN ACT

To increase the extra pay to enlisted men for reporting.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter enlisted men of the Army detailed to serve as stenographic reporters for general courts martial, courts of inquiry, military commissions, and retiring boards, while so serving, shall receive extra pay at the rate of not exceeding 10 cents for each one hundred words taken in shorthand and transcribed, such extra pay to be met from the annual appropriation for expenses of courts martial, and so forth.

Approved, August 25, 1937.

August 25, 1937

[S. 1283]

[Public, No. 365]

Army, enlisted men. Stenographic reporters, extra pay.

[CHAPTER 770]

AN ACT

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the employment of Harry W. Blair as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of legal proceedings appertaining to claims in behalf of Osage Indians for the recovery of royalties on oil produced from tribal lands, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the right of said Indians to royalties on oil produced from tribal lands, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

Approved, August 25, 1937.

August 25, 1937

[S. 1431]

[Public, No. 366]

Harry W. Blair. Restrictions respecting certain counsel waived in favor of.

18 U. S. C. §§ 198, 203.  
R. S. § 190.  
5 U. S. C. § 99.

[CHAPTER 771]

AN ACT

To authorize the appointment of an additional judge for southern district of Ohio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President hereby is authorized to appoint by and with the advice and consent of the Senate one district judge for the southern district of Ohio in addition to those now authorized by law. Said additional judge shall be entitled to receive the same salary payable in the same manner as is now provided for district judges in said district. This additional district judge shall reside within said district and shall be subject to the general provisions of law relating to district judges of the United States.

SEC. 2. This Act shall take effect immediately upon the approval thereof by the President of the United States.

Approved, August 25, 1937.

August 25, 1937

[S. 2010]

[Public, No. 367]

Ohio southern judicial district. Additional judge authorized.

Effective date.

[CHAPTER 772]

AN ACT

August 25, 1937  
[S. 2249]  
[Public, No. 368]

Providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma.

Oklahoma.  
State gross production taxes on minerals, etc., restricted Indian lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever restricted Indian lands in the State of Oklahoma are subject to gross production tax on minerals, including oil and gas, the Secretary of the Interior, in his discretion, may cause such tax or taxes due the State of Oklahoma to be paid in the manner provided for by the statutes of the State of Oklahoma.

Approved, August 25, 1937.

[CHAPTER 773]

AN ACT

August 25, 1937  
[S. 2258]  
[Public, No. 369]

To authorize a modification of the project for the control of floods in Lowell Creek, Alaska.

Lowell Creek, Alaska.  
Modification of flood-control project authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the project for the control of floods in Lowell Creek, Alaska, is hereby modified in accordance with the recommendation in House Document Numbered 154, Seventy-fifth Congress, first session, and subject to the conditions set forth therein, the work to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers.

Approved, August 25, 1937.

[CHAPTER 774]

AN ACT

August 25, 1937  
[S. 2281]  
[Public, No. 370]

To regulate proceedings in adoption in the District of Columbia.

District of Columbia.  
Adoption proceedings.

Consent of petitioner's spouse.

Residence requirements.

Data to be furnished.

Investigation and report.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That jurisdiction is hereby conferred upon the District Court of the United States for the District of Columbia to hear and determine petitions and decrees of adoption of any adult or child (hereinafter called adoptee) with authority to make such rules, not inconsistent with this Act, as shall bring fully before the court for consideration the interests of the adoptee, the natural parents, the petitioner, and any other properly interested party. No petition shall be considered by the court unless petitioner's spouse joins in the petition or consents to the adoption. Jurisdiction is conferred if either of the following circumstances exist:

- (1) If petitioner is a legal resident of the District of Columbia;
- (2) If petitioner has actually resided in the District of Columbia for at least one year.

The petition shall state, so far as known, the name, age, race, occupation, and address of the natural parents, when known, and of the petitioner, whether the petitioner is married or single, the age and sex of the adoptee, the property owned by the adoptee, and such other facts as the court may require.

The court shall thereupon, if the adoptee is under twenty-one years of age, issue a rule with copy of the petition attached, which shall be served in such manner as the court shall therein direct, directed to all parties to the petition who do not appear and consent to the adoption, and to the Board of Public Welfare to verify the allegations of the petition, to make a thorough investigation for the purpose

of ascertaining if the adoptee is a proper subject for adoption and if the home of the petitioner is a suitable one for the adoptee and within a period not in excess of sixty days to report its findings with recommendations to the court. If an investigation already has been made by a social agency approved by the court, the Board of Public Welfare shall accept it instead of making one itself: *Provided*, That the foregoing provisions of this section relating to investigations and reports by the Board of Public Welfare or an approved social agency shall not apply, if an investigation has already been made by a recognized religious or fraternal organization, having under its care minors for adoption, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and if such organization appears in the proceeding and reports to the court the results of its investigation and its recommendations with respect to the adoption.

*Proviso.  
Exceptions.*

SEC. 2. If adoptee is under twenty-one years of age, no decree of adoption shall be made unless the court shall find that the following persons have consented to the adoption: Adoptee, if fourteen or more years of age; and the natural parents or adoptive parents by a previous adoption, if living. The consent of the father of an adoptee born out of wedlock shall not be necessary unless he has both acknowledged the adoptee and contributed voluntarily to its support. The consent of a parent who is a minor shall not be voidable because of that minority.

*Consent provisions.*

If adoptee shall have attained the age of twenty-one years or over, the only consents which shall be required are those of such adoptee, and its spouse, if any.

The consent of a natural parent, or parents, or adoptive parents by a previous adoption, may be dispensed with (1) where after such notice as the court shall direct it shall appear to the court that such person or persons cannot be located; (2) where they have been permanently deprived of custody of the adoptee by court order; (3) where it shall appear to the court that they have abandoned the adoptee and voluntarily failed to contribute to his or her support for a period of at least one year next preceding the date of the filing of the petition; or (4) where investigation has shown to the satisfaction of the court extraordinary cause why such consent should be dispensed with.

*Decree of adoption.*

SEC. 3. After considering the petition, the consents, and such evidence as the parties and any other properly interested person may wish to present, the court may enter a final decree of adoption if it is satisfied (a) that adoptee is physically, mentally, and otherwise suitable for adoption by the petitioner; (b) that the petitioner is fit and able to give the adoptee a proper home and education; and (c) that the change will be for the best interests of adoptee.

No final decree of adoption shall be entered unless the adoptee shall have been living with the adoptor at least six months prior to the filing of the petition. If, however, it shall appear in the interests of the adoptee, the court may enter an interlocutory decree for adoption, which decree shall by its terms automatically become a final decree of adoption on a day therein named, which shall not be more than six months from the entry of such interlocutory decree unless such decree shall be set aside for cause shown. If it shall appear in the interests of the adoptee, the Board of Public Welfare shall visit the adoptee during the period of the interlocutory decree at regular intervals.

SEC. 4. Notice of a final decree of adoption shall be sent to the Bureau of Vital Statistics of the Health Department. This Bureau shall cause to be made a new record of the birth in the new name and with the names of the adoptor and shall then cause to be sealed and filed the original birth certificate with the order of the court and such sealed package shall be opened only by order of court.

*Notice to Vital  
Statistics Bureau,  
Health Department.*



Relationship of adoptee to adoptor.

Not to inherit from collateral relatives.

Adoptee's family name; given name.

Records open to inspection upon court order only.

Docket to be kept.

Section repealed.

Provisions not retroactive, etc.

SEC. 5. Entry of a final decree of adoption shall establish the relation of natural parent and natural child between adoptor and adoptee for all purposes including mutual rights of inheritance and succession the same as if adoptee was born of adoptor, except that adoptee shall not inherit from collateral relatives of or the parents of adoptor although such collateral relatives and parents of adoptor shall have the right of inheritance from adoptee. All rights and duties including those of inheritance and succession between adoptee, his or her natural parents, their issue, collateral relatives, and so forth, shall be cut off. In the event one of the natural parents shall be the spouse of petitioner, then the rights and relations as between adoptee, such natural parent, and his or her parents and collateral relatives, including mutual rights of inheritance and succession, shall in nowise be altered.

The family name of the adoptee shall be changed to that of adoptor unless the decree shall otherwise provide, and the given name of the adoptee may be fixed or changed at the same time.

SEC. 6. Records and papers in adoption proceedings, after the petition is filed and prior to the entry of a final decree, shall be open to inspection by the parties or their attorneys and members of the Board of Public Welfare or their agents, upon order of the court. Upon the entry of a final decree the Board of Public Welfare and the clerk of the court shall seal all papers in the proceedings. Said seals shall not be broken, and said papers shall not be inspected by any person, including the parties to the proceeding, except upon order of the court. Application for leave to inspect papers in adoption proceedings shall be by petition and shall be granted only for extraordinary cause shown. The court may appoint a master to consider and investigate the facts upon which such a petition is based, who shall make his findings and recommendations to the court.

The clerk of the court shall keep a docket of all adoption proceedings which shall only be inspected upon order of the court upon the same conditions hereinabove set out for the inspection of papers.

SEC. 7. Section 395 (title 15, sec. 1, New Code) of the Code of Law of the District of Columbia is hereby repealed. The provisions hereof shall have no retroactive effect and shall not be construed as affecting in any way the rights and relations obtained by any decree of adoption entered heretofore, and all proceedings instituted and pending on the date of this enactment shall be carried to their final determination in accordance with the provisions of section 395 as if this Act had not been enacted, and all orders and decrees entered therein shall remain valid and binding on all parties thereby affected.

Approved, August 25, 1937.

## [CHAPTER 775]

### AN ACT

For the relief of certain applicants for oil and gas permits and leases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to issue oil and gas prospecting permits pursuant to applications filed therefor under section 13 of the Act of February 25, 1920 (41 Stat. 437), ninety days or more prior to the date of the amendatory Act of August 21, 1935 (49 Stat. 674), by Blanche S. Trigg, attorney in fact for the respective applicants, said applications bearing serial numbers Las Cruces 050186, 050589, 050590, 050591, 050592, 050595, 050607, 050903, 050911, 050912, 050913, 050914, 050916, 050917, 050918, 050922, 051017, 051018, 051052, 051053, 051054, 051055, 051056, 051125, 051127, 051128, 051129, 051160, 051161, 051162, 051163, 051173, 051201,

August 25, 1937

[S. 2613]

[Public, No. 371]

Public lands.

Issue of oil and gas permits, etc., to certain applicants authorized.

41 Stat. 441; 49 Stat. 675.

051202, 051203, 051204, 051205, 051206, 051207, 051208, 051209, 051210, 051211, 051239, 051241, 051242, 051243, 051244, 051245, 051246, 051247, 051248, 051249, 051250, 051251, 051252, 051255, 051256, 051257, 051258, 051259, 051260, 051262, 051264, 051266, Santa Fe 069715, 069716, 069799, 069800, 069801, 069803, 069805, 069806, 069807, 070093, 070094, and to issue oil and gas leases under the ninth and tenth provisos of section 13 of the Act of February 25, 1920, as amended by the Act of August 21, 1935, pursuant to applications for prospecting permits filed after ninety days prior to the effective date of the amendatory Act by said attorney in fact, said applications bearing serial numbers Las Cruces 051275, 051301, 051302, 051303, 051304, 051305, 051321, 051322, 051323, 051324, 051325, 052231, 052232, 052233, 052234, 052235, 052236, 052237, notwithstanding that the proof of qualifications submitted by each applicant in connection with his application was not under oath although acknowledged before a notary public, and notwithstanding that a curative qualifying affidavit was not filed until after the passage of the amendatory Act of August 21, 1935, the delay in furnishing said curative qualifying affidavit being attributable to the suspension in the General Land Office of action on all applications for prospecting permits pending the enactment of the aforesaid amendatory Act and the promulgation of regulations thereunder: *Provided*, That the lands applied for and described in said applications are unreserved and unappropriated public lands not subject to prior claims and that the applications are otherwise regular and allowable.

*Proviso.*  
Condition.

Approved, August 25, 1937.

#### [CHAPTER 776]

#### AN ACT

To amend paragraph (1) of section 22 of the Interstate Commerce Act, as amended.

August 25, 1937  
[S. 2619]

[Public, No. 372]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of paragraph (1) of section 22 of the Interstate Commerce Act, as amended, as reads as follows: "Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought<sup>1</sup>, epidemic, pestilence, or other calamitous visitation or disaster, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in any such order the Commission shall define such section and shall specify the period during which such reduced rates are to remain in effect." is amended to read as follows: "Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in any such order the Commission shall (1) define such section, (2) specify the period during which such reduced rates are to remain in effect, and (3) clearly define the class or classes of persons entitled to such reduced rates: *Provided*, That any such order may define the class or classes entitled to such reduced rates as being persons designated as being in distress and in need of relief by agents of the United States or any State authorized to assist in relieving the distress

Interstate Commerce Act, amendment.

Reduced transportation charges in cases of disaster, etc.

24 Stat. 887.  
49 U. S. C. § 22.

Provisions governing reduction.

*Proviso.*  
Order may specify classes benefited.

<sup>1</sup> So in original.

caused by any such calamitous visitation or disaster. No carrier subject to the provisions of this part shall be deemed to have violated the provisions of such part with respect to undue or unreasonable preference or unjust discrimination by reason of the fact that such carrier extends such reduced rates only to the class or classes of persons defined in the order of the Commission authorizing such reduced rates."

Approved, August 25, 1937.

[CHAPTER 777]

AN ACT

August 25, 1937

[S. 2849]

[Public, No. 373]

To prohibit certain agreements fixing fees or compensation in receivership, bankruptcy, or reorganization proceedings, to prohibit the appointment of certain persons as receiver or trustee, and for other purposes.

Receivership, bankruptcy, etc.  
Agreements fixing fees in, prohibited.

"Party in interest" defined.

Approval of unlawful fees prohibited.

Appointments of relatives of judge.

Penalty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) it shall be unlawful for any party in interest, or any attorney for any party in interest, in any receivership, bankruptcy, or reorganization proceeding, in or under the supervision of any court of the United States, to enter into any agreement, written or oral, express or implied, with any other party in interest, or any attorney of any other party in interest, in such proceeding for the purpose of fixing the amount of the fees or other compensation to be paid to any party in interest or any attorney of any party in interest in such proceeding, for services rendered in connection therewith when such fees or other compensation are to be paid from the assets of the estate in receivership, bankruptcy or reorganization. As used in this section, the term "party in interest" includes any debtor, creditor, receiver, or trustee and any representative of any of them.

(b) It shall be unlawful for the judge of any court of the United States to approve the payment of any fees or compensation the amount of which is fixed as the result of any act declared to be unlawful by subsection (a) of this section.

(c) It shall be unlawful for the Judge of any court of the United States to appoint as Receiver, or Trustee, any person related to such Judge by consanguinity, or affinity, within the fourth degree.

(d) Any person who commits any act declared by this section to be unlawful shall, upon conviction, be fined not more than \$10,000 or imprisoned not more than five years, or both.

Approved, August 25, 1937.

[CHAPTER 778]

AN ACT

August 25, 1937

[S. 2851]

[Public, No. 374]

To authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma.

Choctaw and Chickasaw Indians, Okla.  
Reservation of mineral rights, etc., in future land sales.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter, in all sales of tribal lands of the Choctaw and Chickasaw Indians in Oklahoma provided for by existing law, the Secretary of the Interior is hereby authorized to offer such lands for sale subject to a reservation of the mineral rights therein, including oil and gas, for the benefit of said Indians, whenever in his judgment the interests of the Indians will best be served thereby.

Approved, August 25, 1937.

## [CHAPTER 779]

## AN ACT

To authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, California, for public airport use, and for other purposes.

August 25, 1937  
[S. 2888]  
[Public, No. 375]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That with the consent of a majority of the adult members of the Agua Caliente or Palm Springs Band of Indians, the Secretary of the Interior be, and he is hereby, authorized in his discretion to lease or sell, under such rules and regulations as he may prescribe, to the Board of Supervisors, Riverside County, California, for a public airport and other uses and purposes incidental or appurtenant thereto, all or part of section 18, township 4 south, range 5 east, San Bernardino meridian, California; such lease may be assigned with the consent of the Secretary of the Interior to the city of Palm Springs if and when said city is incorporated.

Palm Springs Indian  
Reservation, Calif.  
Lease, etc., of lands  
for public airport,  
authorized.

SEC. 2. Any lease executed pursuant to authority contained in this Act shall be for a period of time not to exceed twenty-five years and may be renewable in the discretion of the Secretary of the Interior upon such terms and for such a period of time as he may prescribe. The renewal period, however, shall not exceed the term of the original lease. The proceeds derived from the leasing of said lands shall be distributed in per-capita payments to the properly enrolled members of the band having rights on the reservation.

Duration of lease;  
renewal.

SEC. 3. In the event the land is sold as herein authorized, the proceeds from such sale shall be deposited in the Treasury of the United States to the credit of the Agua Caliente or Palm Springs Band of Indians and shall draw interest at the rate of 4 per centum per annum which interest shall be distributed in per-capita payments to properly enrolled members of the band.

Use of proceeds if  
land sold.

Approved, August 25, 1937.

## [CHAPTER 780]

## AN ACT

To authorize the city of Ketchikan, Alaska, to issue bonds for street improvements, and for other purposes.

August 25, 1937  
[S. 2912]  
[Public, No. 376]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the city of Ketchikan, Alaska, is hereby authorized and empowered to construct, reconstruct, enlarge, extend, improve, and repair all or any portion of its streets and sidewalks, and also to make such changes, extensions, betterments, and replacements as may thereby be rendered necessary or advisable in its sewers, water systems, electric current lines, telephone lines, and other public utilities; and for such purposes to issue bonds in any amount not exceeding \$250,000.

Ketchikan, Alaska.  
Bond issue author-  
ized for public im-  
provements.

SEC. 2. Before said bonds shall be issued, a special election shall be ordered by the common council of the said city of Ketchikan, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said city of Ketchikan, Alaska, whose names appear on the last assessment roll of said city, for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three

Special election.

Ballot.

Notice; statement  
therein.

Registration for election; canvass of returns.

Bonds; form, maturity, etc.

Denominations.

Registration privileges.

Signatures, validity.

Coupons.

Interest rate.

Issue; payment.

Restriction on use of funds.

Contracts for sale of bonds.

conspicuous places within the corporate limits of the city of Ketchikan, Alaska, one of which shall be at the front door of the United States post office at Ketchikan, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon condition that not less than 65 per centum of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purposes.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed twenty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times not exceeding twenty years from the date thereof, may be payable at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges, as to either principal and interest or principal only, as shall be prescribed by the common council of said city of Ketchikan. The bonds shall bear the signatures of the mayor and of the clerk of the city of Ketchikan and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Ketchikan, not to exceed, however, 6 per centum per annum, payable semi-annually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the city of Ketchikan, Alaska, payable as to both interest and principal from ad-valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Ketchikan shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purposes.

SEC. 6. The city of Ketchikan is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof for the sale of bonds issued in accordance with the provisions of this Act, and for the acceptance of a grant of money to aid said municipality in financing any of the public works hereinbefore mentioned, or for either; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds;

and such contracts may contain, subject to the provisions of this Act, such terms and conditions as may be agreed upon by and between the common council of said city of Ketchikan and the United States of America or any agency or instrumentality thereof, or any other purchaser of the bonds.

SEC. 7. The provisions of the Act approved May 28, 1936, entitled "An Act to authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes" (49 Stat. 1388), as amended, shall not affect the issuance or payment of the bonds authorized by this Act or any proceedings taken hereunder.

Approved, August 25, 1937.

Terms and conditions.

Existing provisions not to affect issuance, etc.

49 Stat. 1388.  
48 U. S. C., Supp. II, § 44a-e.

## [CHAPTER 781]

### JOINT RESOLUTION

To amend the public resolution approved June 5, 1936, entitled "Joint resolution authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes."

August 25, 1937

[S. J. Res. 135]

[Pub. Res., No. 71]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of Public Resolution Numbered 102 of the Seventy-fourth Congress is amended by inserting a comma and the words "the Government of Finland" after the words "Government of Sweden" and before the word "and"; and by inserting the words "and Finnish" after the word "Swedish" and before the word "colonists".

Delaware River Valley tercentenary.  
Invitation to Finland to participate in observance of.  
49 Stat. 1487.

That section 2 be amended by inserting the words "the Government of Finland" after the words "Government of Sweden" and before the word "and".

Approved, August 25, 1937.

## [CHAPTER 815]

### AN ACT

To provide revenue, equalize taxation, prevent tax evasion and avoidance, and for other purposes.

August 26, 1937

[H. R. 8284]

[Public, No. 877]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Revenue Act of 1937".

Revenue Act of 1937.

## TITLE I—PERSONAL HOLDING COMPANIES

### SEC. 1. AMENDMENT OF 1936 ACT.

Title IA of the Revenue Act of 1936 is amended to read as follows:

### "TITLE IA—ADDITIONAL INCOME TAXES

#### "SEC. 351. SURTAX ON PERSONAL HOLDING COMPANIES.

"There shall be levied, collected, and paid, for each taxable year (in addition to the taxes imposed by Title I), upon the undistributed adjusted net income of every personal holding company a surtax equal to the sum of the following:

Title I—Personal holding companies.

49 Stat. 1732.  
26 U. S. C., Supp. II, § 331.

Title IA—Additional income taxes.

"(1) 65 per centum of the amount thereof not in excess of \$2,000; plus

"(2) 75 per centum of the amount thereof in excess of \$2,000.

Surtax on personal holding companies.

"Personal holding company" defined.

**"SEC. 352. DEFINITION OF PERSONAL HOLDING COMPANY.**

"(a) **GENERAL RULE.**—For the purposes of this title and of Title I the term 'personal holding company' means any corporation if—

Gross income requirement.

"(1) **GROSS INCOME REQUIREMENT.**—At least 80 per centum of its gross income for the taxable year is personal holding company income as defined in section 353; but if the corporation is a personal holding company with respect to any taxable year, then, for each subsequent taxable year, the minimum percentage shall be 70 per centum in lieu of 80 per centum, until a taxable year during the whole of the last half of which the stock ownership required by paragraph (2) does not exist, or until the expiration of three consecutive taxable years in each of which less than 70 per centum of the gross income is personal holding company income; and

Stock ownership requirement.

"(2) **STOCK OWNERSHIP REQUIREMENT.**—At any time during the last half of the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals.

Exceptions.

"(b) **EXCEPTIONS.**—The term 'personal holding company' does not include a corporation exempt from taxation under section 101, a bank as defined in section 104, a life insurance company, a surety company, or, except with respect to a taxable year ending on or before the date of the enactment of the Revenue Act of 1937, a foreign personal holding company as defined in section 331.

Personal holding company income.

**"SEC. 353. PERSONAL HOLDING COMPANY INCOME.**

"For the purposes of this title the term 'personal holding company income' means the portion of the gross income which consists of:

Dividends, interest, etc.

"(a) Dividends, interest, royalties (other than mineral, oil, or gas royalties), annuities.

Stock and securities transactions.

"(b) **STOCK AND SECURITIES TRANSACTIONS.**—Except in the case of regular dealers in stock or securities, gains from the sale or exchange of stock or securities.

Commodities transactions.

"(c) **COMMODITIES TRANSACTIONS.**—Gains from futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange. This subsection shall not apply to gains by a producer, processor, merchant, or handler of the commodity which arise out of bona fide hedging transactions reasonably necessary to the conduct of its business in the manner in which such business is customarily and usually conducted by others.

Estates and trusts.

"(d) **ESTATES AND TRUSTS.**—Amounts includible in computing the net income of the corporation under Supplement E of Title I; and gains from the sale or other disposition of any interest in an estate or trust.

Personal service contracts.

"(e) **PERSONAL SERVICE CONTRACTS.**—(1) Amounts received under a contract under which the corporation is to furnish personal services; if some person other than the corporation has the right to designate (by name or by description) the individual who is to perform the services, or if the individual who is to perform the services is designated (by name or by description) in the contract; and (2) amounts received from the sale or other disposition of such a contract. This subsection shall apply with respect to amounts received for services under a particular contract only if at some time during the taxable year 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for the individual who has performed, is to perform, or may be designated (by name or by description) as the one to perform, such services.

“(f) **USE OF CORPORATION PROPERTY BY SHAREHOLDER.**—Amounts received as compensation (however designated and from whomsoever received) for the use of, or right to use, property of the corporation in any case where, at any time during the taxable year, 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for an individual entitled to the use of the property; whether such right is obtained directly from the corporation or by means of a sublease or other arrangement.

Use of corporation property by shareholder.

“(g) **RENTS.**—Rents, unless constituting 50 per centum or more of the gross income. For the purposes of this subsection the term ‘rents’ means compensation, however designated, for the use of, or right to use, property; but does not include amounts constituting personal holding company income under subsection (f).

Rents.

“(h) **MINERAL, OIL, OR GAS ROYALTIES.**—Mineral, oil, or gas royalties, unless (1) constituting 50 per centum or more of the gross income, and (2) the deductions allowable under section 23 (a) (relating to expenses) other than compensation for personal services rendered by shareholders, constitute 15 per centum or more of the gross income.

Mineral, oil, or gas royalties.

#### “SEC. 354. STOCK OWNERSHIP.

“(a) **CONSTRUCTIVE OWNERSHIP.**—For the purpose of determining whether a corporation is a personal holding company, insofar as such determination is based on stock ownership under section 352 (a) (2), section 353 (e), or section 353 (f)—

Stock ownership.

Constructive ownership.

“(1) **STOCK NOT OWNED BY INDIVIDUAL.**—Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries.

Stock not owned by individual.

“(2) **FAMILY AND PARTNERSHIP OWNERSHIP.**—An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family or by or for his partner. For the purposes of this paragraph the family of an individual includes only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

Family and partnership ownership.

“(3) **OPTIONS.**—If any person has an option to acquire stock such stock shall be considered as owned by such person. For the purposes of this paragraph an option to acquire such an option, and each one of a series of such options, shall be considered as an option to acquire such stock.

Options.

“(4) **APPLICATION OF FAMILY-PARTNERSHIP AND OPTION RULES.**—Paragraphs (2) and (3) shall be applied—

Application of family-partnership and option rules.

“(A) For the purposes of the stock ownership requirement provided in section 352 (a) (2), if, but only if, the effect is to make the corporation a personal holding company;

“(B) For the purposes of section 353 (e) (relating to personal service contracts), or of section 353 (f) (relating to the use of property by shareholders), if, but only if, the effect is to make the amounts therein referred to includible under such subsection as personal holding company income.

“(5) **CONSTRUCTIVE OWNERSHIP AS ACTUAL OWNERSHIP.**—Stock constructively owned by a person by reason of the application of paragraph (1) or (3) shall, for the purpose of applying paragraph (1) or (2), be treated as actually owned by such person; but stock constructively owned by an individual by reason of the application of paragraph (2) shall not be treated as owned by him for the purpose of again applying such paragraph in order to make another the constructive owner of such stock.

Constructive ownership as actual ownership.



Option rule in lieu of family and partnership rule.

Convertible securities.

"(6) **OPTION RULE IN LIEU OF FAMILY AND PARTNERSHIP RULE.**—If stock may be considered as owned by an individual under either paragraph (2) or (3) it shall be considered as owned by him under paragraph (3).

"(b) **CONVERTIBLE SECURITIES.**—Outstanding securities convertible into stock (whether or not convertible during the taxable year) shall be considered as outstanding stock—

"(1) For the purpose of the stock ownership requirement provided in section 352 (a) (2), but only if the effect of the inclusion of all such securities is to make the corporation a personal holding company;

"(2) For the purpose of section 353 (e) (relating to personal service contracts), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as personal holding company income; and

"(3) For the purpose of section 353 (f) (relating to the use of property by shareholders), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as personal holding company income.

"The requirement in paragraphs (1), (2), and (3) that all convertible securities must be included if any are to be included shall be subject to the exception that, where some of the outstanding securities are convertible only after a later date than in the case of others, the class having the earlier conversion date may be included although the others are not included, but no convertible securities shall be included unless all outstanding securities having a prior conversion date are also included.

Undistributed adjusted net income.  
Definition.

**"SEC. 355. UNDISTRIBUTED ADJUSTED NET INCOME.**

"For the purposes of this title the term 'undistributed adjusted net income' means the adjusted net income (as defined in section 356) minus—

Computation.

"(a) The amount of the dividends paid credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to the dividend carry-over); and

"(b) Amounts used or irrevocably set aside to pay or to retire indebtedness of any kind incurred prior to January 1, 1934, if such amounts are reasonable with reference to the size and terms of such indebtedness.

Adjusted net income.  
Definition.

**"SEC. 356. ADJUSTED NET INCOME.**

"For the purposes of this title the term 'adjusted net income' means the net income with the following adjustments:

Additional deductions.

"(a) **ADDITIONAL DEDUCTIONS.**—There shall be allowed as deductions—

Computation.

"(1) Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year to the extent not allowed as a deduction under section 23; but not including the tax imposed by section 102, section 351 (either before or after its amendment by the Revenue Act of 1937), or a section of a prior income-tax law corresponding to either of such sections.

"(2) In lieu of the deduction allowed by section 23 (q), contributions or gifts made within the taxable year to or for the use of donees described in section 23 (q) for the purposes therein specified, to an amount which does not exceed 15 per centum of the taxpayer's net income, computed without the benefit of this paragraph and section 23 (q), and without the deduction of the amount disallowed under subsection (b) of this section.

49 Stat. 1658, 1676, 1732.

Charitable, etc., contributions.  
49 Stat. 1661.

"(3) In the case of a corporation organized prior to January 1, 1936, to take over the assets and liabilities of the estate of a decedent, amounts paid in liquidation of any liability of the corporation based on the liability of the decedent to make contributions or gifts to or for the use of donees described in section 23 (o) for the purposes therein specified, to the extent such liability of the decedent existed prior to January 1, 1934. No deduction shall be allowed under paragraph (2) of this subsection for a taxable year for which a deduction is allowed under this paragraph.

Assets and liabilities  
of decedent's estate.

"(b) DEDUCTIONS NOT ALLOWED.—The aggregate of the deductions allowed under section 23 (a), relating to expenses, and section 23 (1), relating to depreciation, which are allocable to the operation and maintenance of property owned or operated by the corporation, shall be allowed only in an amount equal to the rent or other compensation received for the use or right to use the property, unless it is established (under regulations prescribed by the Commissioner with the approval of the Secretary) to the satisfaction of the Commissioner:

Deductions not al-  
lowed.

"(1) That the rent or other compensation received was the highest obtainable, or, if none was received, that none was obtainable;

"(2) That the property was held in the course of a business carried on bona fide for profit; and

"(3) Either that there was reasonable expectation that the operation of the property would result in a profit, or that the property was necessary to the conduct of the business.

#### "SEC. 357. MEANING OF TERMS USED.

"The terms used in this title shall have the same meaning as when used in Title I.

Meaning of terms  
used.  
49 Stat. 1652.

#### "SEC. 358. ADMINISTRATIVE PROVISIONS.

"All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of this Act, shall insofar as not inconsistent with this title, be applicable in respect of the tax imposed by this title, except that the provisions of section 131 of that title shall not be applicable.

Administrative pro-  
visions.

49 Stat. 1666.

#### "SEC. 359. IMPROPER ACCUMULATION OF SURPLUS.

"For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

Improper accumu-  
lation of surplus.  
49 Stat. 1676.

#### "SEC. 360. FOREIGN PERSONAL HOLDING COMPANIES.

"For provisions relating to foreign personal holding companies and their shareholders, see Supplement P of Title I."

Foreign personal  
holding companies.  
Post, p. 818.

#### SEC. 2. CHANGES IN CROSS-REFERENCES.

Section 12 (c), section 14 (f), and section 102 (e) of the Revenue Act of 1936 are amended by striking out "section 351" and inserting in lieu thereof "Title IA".

Changes in cross ref-  
erences.  
49 Stat. 1655, 1656,  
1677.

#### SEC. 3. EFFECTIVE DATES.

The amendment made by section 1 shall apply only with respect to taxable years beginning after December 31, 1936; and Title IA of the Revenue Act of 1936, as it existed prior to such amendment, shall not apply to a foreign personal holding company (as defined in section 331 of the Revenue Act of 1936, added to such Act by section 201 of this Act) with respect to any taxable year ending after the date of the enactment of this Act.

Effective dates.  
49 Stat. 1732.

Post, p. 818.

Title II—Foreign personal holding companies.

## TITLE II—FOREIGN PERSONAL HOLDING COMPANIES

Inclusion of income of, in income of United States shareholders.  
49 Stat. 1731.

### SEC. 201. INCLUSION IN INCOME OF UNITED STATES SHAREHOLDERS OF INCOME OF FOREIGN PERSONAL HOLDING COMPANIES.

The Revenue Act of 1936 is amended by adding after Supplement O of Title I a new Supplement to read as follows:

#### "Supplement P—Foreign Personal Holding Companies

Foreign personal holding companies.

Definition of term.

#### "SEC. 331. DEFINITION OF FOREIGN PERSONAL HOLDING COMPANY.

"(a) GENERAL RULE.—For the purposes of this title and of Title IA the term 'foreign personal holding company' means any foreign corporation if—

Gross income requirement.  
Post, p. 820.

"(1) GROSS INCOME REQUIREMENT.—At least 60 per centum of its gross income (as defined in section 334 (a)) for the taxable year is foreign personal holding company income as defined in section 332; but if the corporation is a foreign personal holding company with respect to any taxable year, then, for each subsequent taxable year, the minimum percentage shall be 50 per centum in lieu of 60 per centum, until a taxable year during the whole of which the stock ownership required by paragraph (2) does not exist, or until the expiration of three consecutive taxable years in each of which less than 50 per centum of the gross income is foreign personal holding company income. For the purposes of this paragraph there shall be included in the gross income the amount includible therein as a dividend by reason of the application of section 334 (c) (2); and

Post, p. 821.

Stock ownership requirement.

"(2) STOCK OWNERSHIP REQUIREMENT.—At any time during the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals who are citizens or residents of the United States, hereinafter called 'United States group'.

Exceptions.

"(b) EXCEPTIONS.—The term 'foreign personal holding company' does not include a corporation exempt from taxation under section 101.

Income.

#### "SEC. 332. FOREIGN PERSONAL HOLDING COMPANY INCOME.

Term defined.

"For the purposes of this title the term 'foreign personal holding company income' means the portion, of the gross income determined for the purposes of section 331 (a) (1), which consists of:

Dividends, interest, etc.

"(a) Dividends, interest, royalties, annuities.

Stock and securities transactions.

"(b) STOCK AND SECURITIES TRANSACTIONS.—Except in the case of regular dealers in stock or securities, gains from the sale or exchange of stock or securities.

Commodities transactions.

"(c) COMMODITIES TRANSACTIONS.—Gains from futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange. This subsection shall not apply to gains by a producer, processor, merchant, or handler of the commodity which arise out of bona fide hedging transactions reasonably necessary to the conduct of its business in the manner in which such business is customarily and usually conducted by others.

Estates and trusts.

"(d) ESTATES AND TRUSTS.—Amounts includible in computing the net income of the corporation under Supplement E; and gains from the sale or other disposition of any interest in an estate or trust.

Personal service contracts.

"(e) PERSONAL SERVICE CONTRACTS.—(1) Amounts received under a contract under which the corporation is to furnish personal services; if some person other than the corporation has the right to designate (by name or by description) the individual who is to perform the services, or if the individual who is to perform the services is designated (by name or by description) in the contract; and (2) amounts

received from the sale or other disposition of such a contract. This subsection shall apply with respect to amounts received for services under a particular contract only if at some time during the taxable year 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for an individual who has performed, is to perform, or may be designated (by name or by description) as the one to perform, such services.

“(f) **USE OF CORPORATION PROPERTY BY SHAREHOLDER.**—Amounts received as compensation (however designated and from whomsoever received) for the use of, or right to use, property of the corporation in any case where, at any time during the taxable year, 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for the individual entitled to the use of the property; whether such right is obtained directly from the corporation or by means of a sublease or other arrangement.

Use of corporation property by shareholder.

“(g) **RENTS.**—Rents, unless constituting 50 per centum or more of the gross income. For the purposes of this subsection the term ‘rents’ means compensation, however designated, for the use of, or right to use, property; but does not include amounts constituting foreign personal holding company income under subsection (f).

Rents.

#### “SEC. 333. STOCK OWNERSHIP.

“(a) **CONSTRUCTIVE OWNERSHIP.**—For the purpose of determining whether a foreign corporation is a foreign personal holding company, insofar as such determination is based on stock ownership under section 331 (a) (2), section 332 (e), or section 332 (f)—

Stock ownership.

Constructive ownership.

*Ante*, p. 818.

“(1) **STOCK NOT OWNED BY INDIVIDUAL.**—Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries.

Stock not owned by individual.

“(2) **FAMILY AND PARTNERSHIP OWNERSHIP.**—An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family or by or for his partner. For the purposes of this paragraph the family of an individual includes only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

Family and partnership ownership.

“(3) **OPTIONS.**—If any person has an option to acquire such stock such stock shall be considered as owned by such person. For the purposes of this paragraph an option to acquire such an option, and each one of a series of such options, shall be considered as an option to acquire such stock.

Options.

“(4) **APPLICATION OF FAMILY-PARTNERSHIP AND OPTION RULES.**—Paragraphs (2) and (3) shall be applied—

Application of family-partnership and option rules.

“(A) For the purposes of the stock ownership requirement provided in section 331 (a) (2), if, but only if, the effect is to make the corporation a foreign personal holding company;

*Ante*, p. 818.

“(B) For the purposes of section 332 (e) (relating to personal service contracts), or of section 332 (f) (relating to the use of property by shareholders), if, but only if, the effect is to make the amounts therein referred to includible under such subsection as foreign personal holding company income.

*Ante*, p. 818.

“(5) **CONSTRUCTIVE OWNERSHIP AS ACTUAL OWNERSHIP.**—Stock constructively owned by a person by reason of the application of paragraph (1) or (3) shall, for the purpose of applying paragraph (1) or (2), be treated as actually owned by such person; but stock constructively owned by an individual by reason of the application of paragraph (2) shall not be treated as owned by him for the purpose of again applying such paragraph in order to make another the constructive owner of such stock.

Constructive ownership as actual ownership.

Option rule in lieu of family and partnership rule.

Convertible securities.

"(6) **OPTION RULE IN LIEU OF FAMILY AND PARTNERSHIP RULE.**—If stock may be considered as owned by an individual under either paragraph (2) or (3) it shall be considered as owned by him under paragraph (3).

"(b) **CONVERTIBLE SECURITIES.**—Outstanding securities convertible into stock (whether or not convertible during the taxable year) shall be considered as outstanding stock—

"(1) For the purpose of the stock ownership requirement provided in section 331 (a) (2), but only if the effect of the inclusion of all such securities is to make the corporation a foreign personal holding company;

"(2) For the purpose of section 332 (e) (relating to personal service contracts), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as foreign personal holding company income; and

"(3) For the purpose of section 332 (f) (relating to the use of property by shareholders), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as foreign personal holding company income.

"The requirement in paragraphs (1), (2), and (3) that all convertible securities must be included if any are to be included shall be subject to the exception that, where some of the outstanding securities are convertible only after a later date than in the case of others, the class having the earlier conversion date may be included although the others are not included, but no convertible securities shall be included unless all outstanding securities having a prior conversion date are also included.

Gross income.

**"SEC. 334. GROSS INCOME OF FOREIGN PERSONAL HOLDING COMPANIES.**

Term defined.

"(a) **GENERAL RULE.**—As used in this Supplement with respect to a foreign corporation the term 'gross income' means gross income computed (without regard to the provisions of Supplement I) as if the foreign corporation were a domestic corporation.

Additions to gross income.

"(b) **ADDITIONS TO GROSS INCOME.**—In the case of a foreign personal holding company (whether or not a United States group, as defined in section 331 (a) (2), existed with respect to such company on the last day of its taxable year) which was a shareholder in another foreign personal holding company on the day in the taxable year of the second company which was the last day on which a United States group existed with respect to the second company, there shall be included, as a dividend, in the gross income of the first company, for the taxable year in which or with which the taxable year of the second company ends, the amount the first company would have received as a dividend if on such last day there had been distributed by the second company, and received by the shareholders, an amount which bears the same ratio to the undistributed Supplement P net income of the second company for its taxable year as the portion of such taxable year up to and including such last day bears to the entire taxable year.

Application of subsection (b).

"(c) **APPLICATION OF SUBSECTION (b).**—The rule provided in subsection (b)—

"(1) shall be applied in the case of a foreign personal holding company for the purpose of determining its undistributed Supplement P net income which, or a part of which, is to be included in the gross income of its shareholders, whether United States shareholders or other foreign personal holding companies;

"(2) shall be applied in the case of every foreign corporation with respect to which a United States group exists on some day of its taxable year, for the purpose of determining whether such corporation meets the gross income requirements of section 331 (a) (1).

**"SEC. 335. UNDISTRIBUTED SUPPLEMENT P NET INCOME.**

"For the purposes of this title the term 'undistributed Supplement P net income' means the Supplement P net income (as defined in section 336) minus the amount of the dividends paid credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to the dividend carry-over).

Undistributed Supplement P net income.  
Term defined.

**"SEC. 336. SUPPLEMENT P NET INCOME.**

"For the purposes of this title the term 'Supplement P net income' means the net income with the following adjustments:

Supplement P net income.  
Term defined.

"(a) **ADDITIONAL DEDUCTIONS.**—There shall be allowed as deductions—

Additional deductions.

"(1) Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year to the extent not allowed as a deduction under section 23; but not including the tax imposed by section 102, section 351 (either before or after its amendment by the Revenue Act of 1937), or a section of a prior income-tax law corresponding to either of such sections.

Computation.  
49 Stat. 1658, 1676,  
1732.

"(2) In lieu of the deduction allowed by section 23 (q), contributions or gifts made within the taxable year to or for the use of donees described in section 23 (q) for the purposes therein specified, to an amount which does not exceed 15 per centum of the company's net income, computed without the benefit of this paragraph and section 23 (q), and without the deduction of the amount disallowed under subsection (b) of this section, and without the inclusion in gross income of the amounts includible therein as dividends by reason of the application of the provisions of section 334 (b) (relating to the inclusion in the gross income of a foreign personal holding company of its distributive share of the undistributed Supplement P net income of another foreign personal holding company in which it is a shareholder).

Charitable, etc., contributions.  
49 Stat. 1661.

"(b) **DEDUCTIONS NOT ALLOWED.**—

"(1) **TAXES AND PENSION TRUSTS.**—The deductions provided in section 23 (d), relating to taxes of a shareholder paid by the corporation, and in section 23 (p), relating to pension trusts, shall not be allowed.

Deductions not allowed.  
Taxes and pension trusts.  
49 Stat. 1661.

"(2) **EXPENSES AND DEPRECIATION.**—The aggregate of the deductions allowed under section 23 (a), relating to expenses, and section 23 (l), relating to depreciation, which are allocable to the operation and maintenance of property owned or operated by the company, shall be allowed only in an amount equal to the rent or other compensation received for the use or right to use the property, unless it is established (under regulations prescribed by the Commissioner with the approval of the Secretary) to the satisfaction of the Commissioner:

Expenses and depreciation.  
49 Stat. 1658.

"(A) That the rent or other compensation received was the highest obtainable, or, if none was received, that none was obtainable;

"(B) That the property was held in the course of a business carried on bona fide for profit; and

"(C) Either that there was reasonable expectation that the operation of the property would result in a profit, or that the property was necessary to the conduct of the business.

Corporation income  
taxed to United States  
shareholders.  
General rule.

**"SEC. 337. CORPORATION INCOME TAXED TO UNITED STATES SHAREHOLDERS.**

"(a) **GENERAL RULE.**—The undistributed Supplement P net income of a foreign personal holding company shall be included in the gross income of the citizens or residents of the United States, domestic corporations, domestic partnerships, and estates or trusts (other than estates or trusts the gross income of which under this title includes only income from sources within the United States), who are shareholders in such foreign personal holding company (hereinafter called 'United States shareholders') in the manner and to the extent set forth in this Supplement.

Amount included in  
gross income.

"(b) **AMOUNT INCLUDED IN GROSS INCOME.**—Each United States shareholder, who was a shareholder on the day in the taxable year of the company which was the last day on which a United States group (as defined in section 331 (a) (2)) existed with respect to the company, shall include in his gross income, as a dividend, for the taxable year in which or with which the taxable year of the company ends, the amount he would have received as a dividend if on such last day there had been distributed by the company, and received by the shareholders, an amount which bears the same ratio to the undistributed Supplement P net income of the company for the taxable year as the portion of such taxable year up to and including such last day bears to the entire taxable year.

Credit for obliga-  
tions of United States  
and its instrumental-  
ties.

"(c) **CREDIT FOR OBLIGATIONS OF U. S. AND ITS INSTRUMENTALITIES.**—Each United States shareholder shall be allowed a credit against net income, for the purpose of the tax imposed by section 11, 13, 14, 201, or 204, of his proportionate share of the interest specified in section 25 (a) (1) or (2) which is included in the gross income of the company otherwise than by the application of the provisions of section 334 (b) (relating to the inclusion in the gross income of a foreign personal holding company of its distributive share of the undistributed Supplement P net income of another foreign personal holding company in which it is a shareholder).

Information in re-  
turn.

"(d) **INFORMATION IN RETURN.**—Every United States shareholder who is required under subsection (b) to include in his gross income any amount with respect to the undistributed Supplement P net income of a foreign personal holding company and who, on the last day on which a United States group existed with respect to the company, owned 5 per centum or more in value of the outstanding stock of such company, shall set forth in his return in complete detail the gross income, deductions and credits, net income, Supplement P net income, and undistributed Supplement P net income of such company.

Effect on capital ac-  
count of foreign per-  
sonal holding com-  
pany.

"(e) **EFFECT ON CAPITAL ACCOUNT OF FOREIGN PERSONAL HOLDING COMPANY.**—An amount which bears the same ratio to the undistributed Supplement P net income of the foreign personal holding company for its taxable year as the portion of such taxable year up to and including the last day on which a United States group existed with respect to the company bears to the entire taxable year, shall, for the purpose of determining the effect of distributions in subsequent taxable years by the corporation, be considered as a contribution to capital.

Basis of stock in  
hands of shareholders.

"(f) **BASIS OF STOCK IN HANDS OF SHAREHOLDERS.**—The amount required to be included in the gross income of a United States shareholder under subsection (b) shall, for the purpose of adjusting the basis of his stock with respect to which the distribution would have been made (if it had been made), be treated as having been reinvested by the shareholder as a contribution to the capital of the corporation; but only to the extent to which such amount is included

in his gross income in his return, increased or decreased by any adjustment of such amount in the last determination of the shareholder's tax liability, made before the expiration of seven years after the date prescribed by law for filing the return.

"(g) **BASIS OF STOCK IN CASE OF DEATH.**—For basis of stock or securities in a foreign personal holding company acquired from a decedent, see section 113 (a) (5).

"(h) **LIQUIDATION.**—For amount of gain taken into account on liquidation of foreign personal holding company, see section 115 (c).

"(i) **PERIOD OF LIMITATION ON ASSESSMENT AND COLLECTION.**—For period of limitation on assessment and collection without assessment, in case of failure to include in gross income the amount properly includible therein under subsection (b), see section 275 (d).

### "SEC. 338. INFORMATION RETURNS BY OFFICERS AND DIRECTORS.

"(a) **MONTHLY RETURNS.**—On the fifteenth day of each month each individual who on such day is an officer or a director of a foreign corporation which, with respect to its taxable year (if not beginning more than twelve months before the date of the enactment of the Revenue Act of 1937) preceding the taxable year in which such month occurs, was a foreign personal holding company, shall file with the Commissioner a return setting forth with respect to the preceding calendar month the name and address of each shareholder, the class and number of shares held by each, together with any changes in stockholdings during such period, the name and address of any holder of securities convertible into stock of such corporation, and such other information with respect to the stock and securities of the corporation as the Commissioner with the approval of the Secretary shall by regulations prescribe as necessary for carrying out the provisions of this Act. The Commissioner, with the approval of the Secretary, may by regulations prescribe, as the period with respect to which returns shall be filed, a longer period than a month. In such case the return shall be due on the fifteenth day of the succeeding period, and shall be filed by the individuals who on such day are officers and directors of the corporation.

"(b) **ANNUAL RETURNS.**—On the sixtieth day after the close of the taxable year of a foreign personal holding company each individual who on such sixtieth day is an officer or director of the corporation shall file with the Commissioner a return setting forth—

"(1) In complete detail the gross income, deductions and credits, net income, Supplement P net income, and undistributed Supplement P net income of such foreign personal holding company for such taxable year; and

"(2) The same information with respect to such preceding taxable year as is required in subsection (a); except that if all the required reports with respect to such year have been filed under subsection (a) no information under this paragraph need be set forth in the annual report.

### "SEC. 339. INFORMATION RETURNS BY SHAREHOLDERS.

"(a) **MONTHLY RETURNS.**—On the fifteenth day of each month each United States shareholder, by or for whom 50 per centum or more in value of the outstanding stock of a foreign corporation is owned directly or indirectly (including in the case of an individual, stock owned by the members of his family as defined in section 333 (a) (2)), if such foreign corporation with respect to its taxable year (if not beginning more than twelve months before the date of the enactment of the Revenue Act of 1937) preceding the taxable year in which such month occurs was a foreign personal holding company, shall file with the Commissioner a return setting forth with

Basis, in case of death.

Liquidation.  
49 Stat. 1682.

Period of limitation on assessment and collection.  
49 Stat. 1726.

Information returns by officers and directors.  
Monthly returns.

Annual returns.

Information returns by shareholders.  
Monthly returns.

*Ante*, p. 819.



respect to the preceding calendar month the name and address of each shareholder, the class and number of shares held by each, together with any changes in stockholdings during such period, the name and address of any holder of securities convertible into stock of such corporation, and such other information with respect to the stock and securities of the corporation as the Commissioner with the approval of the Secretary shall by regulations prescribe as necessary for carrying out the provisions of this Act. The Commissioner, with the approval of the Secretary, may by regulations prescribe, as the period with respect to which returns shall be filed, a longer period than a month. In such case the return shall be due on the fifteenth day of the succeeding period, and shall be filed by the persons who on such day are United States shareholders.

Annual returns.

"(b) ANNUAL RETURNS.—On the sixtieth day after the close of the taxable year of a foreign personal holding company each United States shareholder by or for whom on such sixtieth day more than 50 per centum of the outstanding stock of such company is owned directly or indirectly (including in the case of an individual, stock owned by members of his family as defined in section 333 (a) (2)), shall file with the Commissioner a return setting forth the same information with respect to such preceding taxable year as is required in subsection (a); except that if all the required reports with respect to such year have been filed under subsection (a) no information under this subsection need be set forth in the annual report.

Returns as to formation, etc., of foreign corporations.  
Requirement.

#### "SEC. 340. RETURNS AS TO FORMATION, ETC., OF FOREIGN CORPORATIONS.

"(a) REQUIREMENT.—Under regulations prescribed by the Commissioner with the approval of the Secretary, any attorney, accountant, fiduciary, bank, trust company, financial institution, or other person—

"(1) Who, on or after the date of the enactment of the Revenue Act of 1937, aids, assists, counsels, or advises in, or with respect to, the formation, organization, or reorganization of any foreign corporation, shall, within 30 days thereafter, file with the Commissioner a return; or

"(2) Who, since December 31, 1933, and prior to 90 days after the date of the enactment of the Revenue Act of 1937, has aided, assisted, counseled, or advised in the formation, organization, or reorganization of any foreign corporation shall, within 90 days after the date of the enactment of such Act, file with the Commissioner a return.

Form and contents of return.

"(b) FORM AND CONTENTS OF RETURN.—Such return shall be in such form, and shall set forth, under oath, in respect of each such corporation, to the full extent of the information within the possession or knowledge or under the control of the person required to file the return, such information as the Commissioner with the approval of the Secretary prescribes by regulations as necessary for carrying out the provisions of this Act. Nothing in this section shall be construed to require the divulging of privileged communications between attorney and client.

Penalties.

Willful failure to comply with specified sections.  
*Ante*, p. 823.

49 Stat. 1703.

#### "SEC. 341. PENALTIES.

"Any person required under section 338, 339, or 340 to file a return, or to supply any information, who willfully fails to file such return, or supply such information, at the time or times required by law or regulations, shall, in lieu of the penalties provided in section 145 (a) for such offense, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than \$2,000, or imprisoned for not more than one year, or both."

**SEC. 202. EFFECTIVE DATE.**

Supplement P of Title I of the Revenue Act of 1936, added to such Act by section 201 of this Act, shall not apply to a taxable year (either of a shareholder or of a foreign corporation) ending on or before the date of the enactment of this Act; and in no case shall the stock ownership requirement provided in section 331 (a) (2) of such Supplement be satisfied unless a United States group (as therein defined) existed with respect to the corporation after the date of the enactment of this Act. If under section 338 or 339 of such Supplement the date on which a return is required to be filed occurs prior to November 1, 1937, the return shall be considered as filed on time if filed prior to December 1, 1937.

Effective date.

Provisions relating to foreign personal holding companies.  
*Ante*, p. 818.

**SEC. 203. ADJUSTED BASIS OF STOCK OF FOREIGN PERSONAL HOLDING COMPANY.**

Section 113 (b) (1) of the Revenue Act of 1936 is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

“and

“(E) to the extent provided in section 337 (f) in the case of the stock of United States shareholders in a foreign personal holding company.”

Adjusted basis of stock of foreign personal holding company.

General rule.  
49 Stat. 1685.

**SEC. 204. BASIS OF STOCK IN FOREIGN PERSONAL HOLDING COMPANY ACQUIRED FROM DECEDENT.**

Section 113 (a) (5) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows:

“If the property was acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent, and if the decedent died after the date of the enactment of the Revenue Act of 1937, and if the property consists of stock or securities of a foreign corporation, which with respect to its taxable year next preceding the date of the decedent's death was a foreign personal holding company, then the basis shall be the fair market value of such property at the time of such acquisition or the basis in the hands of the decedent, whichever is lower.”

Basis of stock in foreign personal holding company acquired from decedent.  
49 Stat. 1682.

**SEC. 205. LIQUIDATION OF FOREIGN PERSONAL HOLDING COMPANIES.**

Section 115 (c) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows:

“If any distribution in complete liquidation (including any one of a series of distributions made by the corporation in complete cancellation or redemption of all its stock) is made by a foreign corporation which with respect to any taxable year beginning on or before, and ending after, the date of the enactment of the Revenue Act of 1937, was a foreign personal holding company, and with respect to which a United States group (as defined in section 331 (a) (2)) existed after the date of the enactment of the Revenue Act of 1937 and before January 1, 1938, then, despite the foregoing provisions of this subsection, 100 per centum of the gain recognized resulting from such distribution shall be taken into account in computing net income—

Liquidation of foreign personal holding companies.  
49 Stat. 1687.

Distribution.

“(1) Unless such liquidation is completed before January 1, 1938; or

“(2) Unless (if it is established to the satisfaction of the Commissioner by evidence submitted before January 1, 1938, that due to the laws of the foreign country in which such corporation is incorporated, or for other reason, it is or will be impossible to complete the liquidation of such company before such date) the liquidation is completed on or before such date as the Commissioner may find reasonable, but not later than June 30, 1938.”

Period of limitation upon assessment and collection.  
49 Stat. 1726.

Shareholders of foreign personal holding companies.

Time prescribed for filing.  
49 Stat. 1726.

Subsection relettered.

Minor amendments to Title I of 1936 Act.  
49 Stat. 1653.

49 Stat. 1657.

Foreign personal holding companies.  
*Ante*, p. 820.

49 Stat. 1671.

Foreign personal holding companies.  
Information returns.  
*Ante*, pp. 823, 824.

49 Stat. 1706.

Foreign personal holding companies.  
Information returns.

*Ante*, pp. 823, 824.

Penalties.  
49 Stat. 1703.

Information returns, failure to file.

## SEC. 206. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.

(a) Section 275 of the Revenue Act of 1936 is amended by inserting after subsection (c) thereof a new subsection to read as follows:

"(d) **SHAREHOLDERS OF FOREIGN PERSONAL HOLDING COMPANIES.**—If the taxpayer omits from gross income an amount properly includible therein under section 337 (b) (relating to the inclusion in the gross income of United States shareholders of their distributive shares of the undistributed Supplement P net income of a foreign personal holding company) the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within seven years after the return was filed."

(b) Subsection (d) of such section 275, before its amendment by subsection (a) of this section, is amended to read as follows:

"(e) For the purposes of subsections (a), (b), (c), and (d), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day."

(c) Subsection (e) of such section 275, before its amendment by subsections (a) and (b) of this section, is amended by striking out "(e)" and inserting in lieu thereof "(f)".

## SEC. 207. MINOR AMENDMENTS TO TITLE I OF 1936 ACT.

(a) Section 4 of the Revenue Act of 1936 is amended by adding at the end thereof a new subsection to read as follows:

"(i) Foreign personal holding companies and their shareholders—**Supplement P.**"

(b) Section 22 of such Act is amended by adding at the end thereof a new subsection to read as follows:

"(g) **FOREIGN PERSONAL HOLDING COMPANIES.**—For provisions relating to gross income of foreign personal holding companies and of their shareholders, see section 334."

(c) Section 54 of such Act is amended by adding at the end thereof a new subsection to read as follows:

"(e) **FOREIGN PERSONAL HOLDING COMPANIES.**—For information returns by officers, directors, and large shareholders, with respect to foreign personal holding companies, see sections 338, 339, and 341. For information returns by attorneys, accountants, and so forth, as to formation, and so forth, of foreign corporations, see sections 340 and 341."

(d) Such Act is amended by adding after section 150 a new section to read as follows:

### "SEC. 151. FOREIGN PERSONAL HOLDING COMPANIES.

"For information returns by officers, directors, and large shareholders, with respect to foreign personal holding companies, see sections 338, 339, and 341. For information returns by attorneys, accountants, and so forth, as to formation, and so forth, of foreign corporations, see sections 340 and 341."

(e) Section 145 of such Act is amended by adding at the end thereof a new subsection to read as follows:

"(d) For penalties for failure to file information returns with respect to foreign personal holding companies and foreign corporations, see section 341."

## TITLE III—DISALLOWED DEDUCTIONS

Title III — Disallowed deductions.

### SEC. 301. DISALLOWED DEDUCTIONS.

(a) Section 24 (a) of the Revenue Act of 1936 is amended to read as follows:

49 Stat. 1662.

"(a) **GENERAL RULE.**—In computing net income no deduction shall in any case be allowed in respect of—

General rule, items not deductible.

"(1) Personal, living, or family expenses;

"(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

"(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

"(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy; or

"(5) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this title.

"(b) **LOSSES FROM SALES OR EXCHANGES OF PROPERTY.**—

Losses from sales or exchanges of property. Losses disallowed.

"(1) **LOSSES DISALLOWED.**—In computing net income no deduction shall in any case be allowed in respect of losses from sales or exchanges of property, directly or indirectly—

"(A) Between members of a family, as defined in paragraph (2) (D);

"(B) Except in the case of distributions in liquidation, between an individual and a corporation more than 50 per centum in value of the outstanding stock of which is owned, directly or indirectly, by or for such individual;

"(C) Except in the case of distributions in liquidation, between two corporations more than 50 per centum in value of the outstanding stock of each of which is owned by or for the same individual, if—

"(i) Either one of such corporations, with respect to the taxable year (if beginning after December 31, 1935) of the corporation preceding the date of the sale or exchange, was a personal holding company as defined in section 352, or

"(ii) Either one of such corporations, with respect to the taxable year (if not beginning more than 12 months before the date of the enactment of the Revenue Act of 1937) of the corporation preceding the date of the sale or exchange, was a foreign personal holding company as defined in section 331;

"(D) Between a grantor and a fiduciary of any trust;

"(E) Between the fiduciary of a trust and the fiduciary of another trust, if the same person is a grantor with respect to each trust; or

"(F) Between a fiduciary of a trust and a beneficiary of such trust.

Stock ownership,  
family, and partner-  
ship rule.

"(2) STOCK OWNERSHIP, FAMILY, AND PARTNERSHIP RULE.—For the purposes of determining, in applying paragraph (1), the ownership of stock—

"(A) Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust, shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries;

"(B) An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family;

"(C) An individual owning (otherwise than by the application of subparagraph (B)) any stock in a corporation shall be considered as owning the stock owned, directly or indirectly, by or for his partner;

"(D) The family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants; and

"(E) Constructive Ownership as Actual Ownership.—Stock constructively owned by a person by reason of the application of subparagraph (A) shall, for the purpose of applying subparagraph (A), (B), or (C), be treated as actually owned by such person, but stock constructively owned by an individual by reason of the application of subparagraph (B) or (C) shall not be treated as owned by him for the purpose of again applying either of such subparagraphs in order to make another the constructive owner of such stock.

"(3) SPECIAL RULE FOR YEAR 1936.—In applying paragraph (1) (C) (i) in a case where the preceding taxable year therein referred to began in the calendar year 1936, the determination as to whether the corporation was a foreign personal holding company shall be made under section 351 (b) (1) before the amendment of Title IA made by section 1 of the Revenue Act of 1937.

"(c) UNPAID EXPENSES AND INTEREST.—In computing net income no deduction shall be allowed in respect of expenses incurred under section 23 (a) or interest accrued under section 23 (b)—

"(1) If not paid within the taxable year or within two and one half months after the close thereof; and

"(2) If, by reason of the method of accounting of the person to whom the payment is to be made, the amount thereof is not, unless paid, includible in the gross income of such person for the taxable year in which or with which the taxable year of the taxpayer ends; and

"(3) If, at the close of the taxable year of the taxpayer or at any time within two and one half months thereafter, both the taxpayer and the person to whom the payment is to be made are persons between whom losses would be disallowed under section 24 (b)."

(b) Section 24 (b) and section 24 (c) of the Revenue Act of 1936, as in force prior to the amendment to section 24 made by subsection (a) of this section, are amended by striking out "(b)" and "(c)" and inserting in lieu thereof "(d)" and "(e)".

#### SEC. 302. EFFECTIVE DATES.

The amendments made by this title shall apply only with respect to taxable years beginning after December 31, 1936.

Special rule for year  
1936.  
Foreign personal  
holding company.

49 Stat. 1732.

Unpaid expenses  
and interest.

49 Stat. 1658, 1659.

49 Stat. 1662.

*Ante*, p. 827.

Effective dates.

## TITLE IV—TRUSTS

Title IV—Trusts.

### SEC. 401. DENIAL OF PERSONAL EXEMPTION TO TRUSTS.

Section 163 (a) of the Revenue Act of 1936 is amended to read as follows:

Denial of personal exemption to trusts.  
49 Stat. 1707.

“(a) CREDITS OF ESTATE OR TRUST.—

“(1) For the purpose of the normal tax and the surtax an estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 25 (b) (1), except that no exemption shall be allowed a trust if the trust instrument requires or permits the accumulation of any portion of the income of the trust and there is not distributed an amount equal to the net income. For the purposes of this paragraph the term “net income” does not include amounts included in gross income which, under the law of the jurisdiction under which the trust is administered, cannot (even if permitted or required by the trust instrument to be considered as income) be considered as income and are not distributable.

Credits of estate or trust.

“(2) If no part of the income of the estate or trust is included in computing the net income of any legatee, heir, or beneficiary, then the estate or trust shall be allowed the same credits against net income for interest as are allowed by section 25 (a).”

### SEC. 402. FIDUCIARY RETURNS.

Section 142 (a) of the Revenue Act of 1936 is amended to read as follows:

Fiduciary returns.  
49 Stat. 1700.

“(a) REQUIREMENT OF RETURN.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe—

Requirement of return.  
Sworn statement of income, etc., of beneficiaries.

Deductions, etc., allowed.

“(1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband or wife;

Net income of \$1,000 or over, if single, etc.

“(2) Every individual having a net income for the taxable year of \$2,500 or over, if married and living with husband or wife;

Net income of \$2,500 or over, if married, etc.

“(3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income;

Gross income of \$5,000 or over.

“(4) (A) Every estate, and every trust entitled to the personal exemption allowed by section 163 (a) (1), the net income of which for the taxable year is \$1,000 or over.

Estates, or trusts where net income \$1,000 or over.  
49 Stat. 1707.

“(B) Every trust, not entitled to a personal exemption under section 163 (a) (1), which has a net income for the taxable year.

Trusts not entitled to personal exemption having net income.

“(5) Every estate or trust the gross income of which for the taxable year is \$5,000 or over, regardless of the amount of the net income;

Gross income of \$5,000 or more.

“(6) Every estate or trust of which any beneficiary is a nonresident alien; and

Nonresident alien beneficiary.

“(7) Regardless of the amount of the gross or net income, every trust, though having no net income, which would have a net income if distributions had not been made which under the terms of the trust instrument were in the discretion of the

Distributions discretionary or based on a contingency.

**Exemption.**

trustee or conditioned upon a contingency; but subject to such conditions, limitations, and exceptions and under such regulations as may be prescribed by the Commissioner, with the approval of the Secretary, a fiduciary required by this paragraph to file a return may be exempted from the requirement of filing such return."

**Effective dates.****SEC. 403. EFFECTIVE DATES.**

The amendments made by this title shall apply only with respect to taxable years beginning after December 31, 1936.

**Title V—Nonresident alien individuals.****TITLE V—NONRESIDENT ALIEN INDIVIDUALS****Tax on.****SEC. 501. TAX ON NONRESIDENT ALIEN INDIVIDUALS.****49 Stat. 1714.  
Exemption.**

(a) Section 211 (a) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows: "The tax imposed by this subsection shall not apply to any individual if the aggregate amount received during the taxable year from the sources above specified is more than \$21,600."

**49 Stat. 1715.**

(b) Section 211 of the Revenue Act of 1936 is further amended by adding at the end thereof a new subsection to read as follows:

**No United States business or office and gross income of more than \$21,600.**

"(c) **NO UNITED STATES BUSINESS OR OFFICE AND GROSS INCOME OF MORE THAN \$21,600.**—A nonresident alien individual not engaged in trade or business within the United States and not having an office or place of business therein who has a gross income for any taxable year of more than \$21,600 from the sources specified in subsection (a), shall be taxable without regard to the provisions of subsection (a), except that—

"(1) The gross income shall include only income from the sources specified in subsection (a); and

**49 Stat. 1715.**

"(2) The deductions (other than the so-called 'charitable deduction' provided in section 213 (c)) shall be allowed only if and to the extent that they are properly allocable to the gross income from the sources specified in subsection (a); and

"(3) The aggregate of the normal and surtax under sections 11 and 12 shall, in no case, be less than 10 per centum of the gross income from the sources specified in subsection (a)."

(c) The amendments made by subsections (a) and (b)—

**Amendments, when effective.**

(1) Shall apply only to taxable years beginning after December 31, 1936; and

**Residents of contiguous countries.**

(2) Shall not apply to a resident of a contiguous country so long as there is in effect a treaty with such country (ratified prior to the date of the enactment of this Act) under which rates of tax under section 211 (a), prior to its amendment by subsection (a), were reduced.

**Title VI—Miscellaneous.****TITLE VI—MISCELLANEOUS****Corporations excepted from certain surtax.****Provisions modified.  
49 Stat. 1676.****SEC. 601. CORPORATIONS EXCEPTED FROM SECTION 102.**

(a) Section 102 (a) of the Revenue Act of 1936 is amended by striking out "(other than a personal holding company as defined in section 351)" and inserting in lieu thereof "(except as provided in subsection (f))".

(b) Such section 102 is further amended by adding at the end thereof a new subsection to read as follows:

**Corporations excepted.**

"(f) **CORPORATIONS EXCEPTED.**—This section shall not apply to any corporation—

**Personal holding company.**

"(1) With respect to a taxable year beginning after December 31, 1936, if the corporation is with respect to such year a personal holding company as defined in section 352.

"(2) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(3) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331."

Foreign personal holding company.

#### SEC. 602. MUTUAL INVESTMENT COMPANIES.

(a) Section 48 (e) (1) of the Revenue Act of 1936 is amended by striking out "other than a personal holding company as defined in section 351" and inserting in lieu thereof "except as provided in paragraph (3)".

Mutual investment companies,  
49 Stat. 1669.  
General definition.

(b) Such section 48 (e) is further amended by adding at the end of such subsection a new paragraph to read as follows:

"(3) CORPORATIONS EXCEPTED.—This section shall not apply to any corporation—

Corporations ex-  
cepted.

"(A) With respect to a taxable year beginning after December 31, 1936, if the corporation is with respect to such year a personal holding company as defined in section 352.

Ante, p. 814.

"(B) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(C) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331."

#### SEC. 603. SEPARABILITY CLAUSE.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Separability clause.

Approved, August 26, 1937, 10 a. m.

#### [CHAPTER 816]

#### JOINT RESOLUTION

Providing for participation by the United States in the Pan American Exposition to be held in Tampa, Florida, in the year 1939 in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes.

August 26, 1937  
[S. J. Res. 166]  
[Pub. Res., No. 72]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to an exposition to be held in Tampa, Florida, to be known as the "Pan American Exposition", in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, under the auspices and on the grounds of the Florida Fair and Gasparilla Association, Incorporated, in the year 1939, with a request that they participate therein.

Pan American Ex-  
position, Tampa, Fla.,  
1939.  
President requested  
to invite foreign coun-  
tries to participate.

SEC. 2. That there is hereby created a Federal commissioner for such Pan American Exposition, said commissioner to be appointed by the President upon the nomination of the Secretary of Commerce, who shall select for this purpose an official of his Department who has had experience in and is familiar with the preparation and man-

Federal commis-  
sioner.  
Appointment, qual-  
ifications, expenses,  
etc.



agement of exhibitions, and who will serve in this capacity without additional salary. That the expenses of the Federal commissioner and such staff as he may require will be met out of the funds provided for the purposes of the Government participation in the exposition.

Duties; exhibits by Government.

SEC. 3. The Secretary of Commerce shall prescribe the duties of the Federal commissioner and shall delegate such powers and functions to him as he shall deem advisable, in order that there may be exhibited at the said Pan American Exposition by the Government of the United States, its executive department<sup>1</sup>, independent offices, and establishments such articles and materials as illustrate the function and administrative faculty of the Government in the advancement of industry, the arts, and peace, demonstrating the nature of our institutions particularly as regards their adaptation to the wants of the people.

Employees, etc.

5 U. S. C. §§ 661-674.

SEC. 4. The commissioner may employ such clerks, stenographers, and other assistants as may be necessary, and fix their reasonable compensation within the grades and rates of compensation fixed by the Classification Act of 1923, as amended; purchase such material, contract for such labor and other services, and exercise such powers as are delegated to him by the Secretary of Commerce as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to officers and employees as may be deemed advisable by the Secretary of Commerce.

Cooperation by departments, etc.

SEC. 5. The heads of the various executive departments, independent offices, and establishments of the Government are authorized to cooperate with the commissioner in the procurement, installation, and display of exhibits; to lend to the Pan American Exposition, with the knowledge and consent of the commissioner, such articles, specimens, and exhibits which the commissioner shall deem to be in the interest of the United States to place with the science or other exhibits to be shown under the auspices of the Florida Fair and Gasparilla Association, Incorporated; to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist the commissioner. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, the commissioner shall cause all such property to be returned to the respective departments and branches from which taken and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation provided; and if the return of such property is not practicable, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Return of exhibits, etc., at close.

Appropriation authorized.

SEC. 6. The sum of \$100,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, parts of which sum may be expended for the erection of a building or buildings and/or for the rental of such space, as the Secretary of Commerce may deem adequate to carry out effectively the provisions of this resolution; for the decoration of such structure or structures; for the proper maintenance of such buildings, site, and grounds during the period

<sup>1</sup> So in original.

of the exposition. The Secretary of Commerce may contract with the Florida Fair and Gasparilla Association, Incorporated, for the designing and erection of such building or buildings and/or for the rental of such space as shall be deemed proper. The remaining portion of the appropriation authorized under this resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Secretary of Commerce may decide shall be included in such Government exhibit and in the exhibits of the Pan American Exposition; for the compensation of the employees of the Secretary of Commerce in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government, employed by or detailed for duty with the Secretary of Commerce, and for their actual traveling expenses and subsistence at not to exceed \$6 per day: *Provided*, That no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed plus such reasonable allowance for subsistence expenses as may be deemed proper by the commissioner; for telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other publications, ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance; for the hire of a passenger-carrying automobile, its maintenance, repair, and operation, for the official use of the commissioner; for printing and binding; for entertainment of distinguished visitors, and all other expenses as may be deemed necessary by the Secretary of Commerce, to fulfill properly the purposes of this resolution. All purchases, expenditures, and disbursements, under any appropriations which may be provided by authority of this resolution, shall be made under the direction of the Secretary of Commerce: *Provided further*, That the Secretary of Commerce, as hereinbefore stipulated, may delegate these powers and functions to the commissioner, and the commissioner, with the consent of the Secretary of Commerce, may subdelegate them: *Provided further*, That the Secretary of Commerce or his delegated representative may authorize the allotment of funds to any executive department, independent office, or establishment of the Government with the consent of the heads thereof for direct expenditure by said executive department, independent office, or establishment for the purpose of defraying any expenditure which may be incurred by said executive department, independent office, or establishment in executing the duties and functions delegated to said office by the Secretary of Commerce; and all accounts and vouchers covering the expenditures under these appropriations shall be approved by the commissioner or such assistants as he may delegate, except for such allotments as may be made to the various executive departments and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit or permit any obligations to be incurred in excess of the amount authorized to be appropriated: *And provided further*, That in the construction of buildings or exhibits requiring skilled and unskilled labor, the prevailing rate of wages, then existing, shall be paid.

Contracts for designing and erection of buildings.

Salaries, etc.

Provisions. Limitation.

Payments in advance.

Delegation and sub-delegation of powers.

Allotment of funds.

Supervision of expenditures.

Labor wage rates.

Acceptance of contributions, etc.

SEC. 7. The commissioner with the approval of the Secretary of Commerce may receive contributions in funds or materials or borrow materials or exhibits to aid in carrying out the general purposes of this resolution, and shall have the right to return borrowed property, and dispose of such other property under the direction of the Secretary of Commerce and to account therefor, the proceeds of such sales shall be covered into the Treasury of the United States.

Reports.

SEC. 8. It shall be the duty of the Secretary of Commerce to transmit to Congress, within six months after the close of the Pan American Exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, August 26, 1937.

#### [CHAPTER 817]

#### JOINT RESOLUTION

August 26, 1937  
[S. J. Res. 186]  
[Pub. Res., No. 73]

Providing for the participation of the United States in the continuing international exposition to be known as Pacific Mercado, to be held in the city of Los Angeles, California, commencing in the year 1940, and in the year 1942 commemorating the landing of Cabrillo, and for other reasons.

Pacific Mercado  
(International Exposition), Los Angeles,  
Calif., 1940.  
Preamble.

Whereas there is to be held in the city of Los Angeles, State of California, commencing in the year 1940, a continuing international exposition to be known as the Pacific Mercado, designed to promote closer relations and better understandings among the countries and nations of the world, through the furtherance of trade, industry, and cultural arts, by gathering, arranging, and exhibiting the varied cultures of such countries and nations and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of such countries and nations, and by other appropriate means; and

Whereas there is to be held in said city, in the year 1942, in connection with said Pacific Mercado, a world's fair commemorating the landing of Cabrillo; and

Whereas the holding of said Pacific Mercado and, in conjunction therewith, said world's fair, will further the purposes of certain conventions and treaties signed at the Inter-American Conference for the Maintenance of Peace, held in the city of Buenos Aires, capital of the Argentine Republic, in December 1936; and

Whereas the city of Los Angeles, by amendment to its charter, approved by the electors of said city and by the Legislature of the State of California, has been authorized to issue, through its department of water and power, bonds for the acquisition of a site for such continuing international exposition and world's fair; and

Whereas the State of California on May 21, 1937, enacted Assembly Joint Resolution Numbered 47, chapter 106, memorializing the President of the United States to extend to the governments and dominions of the world invitations to participate in the Pacific Mercado in 1940 (reference Congressional Record, May 26, 1937, pages 6572 and 6573); and

Whereas the State of California on May 25, 1937, appropriated \$1,500,000 for the State's participation in the Pacific Mercado and exposition; and

Whereas such continuing international exposition and world's fair are worthy and deserving of the support and encouragement of the United States, and the United States has aided and encouraged such world's fair and celebrations in the past: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Government of the United States hereby extends its official recognition to the Pacific Mercado (International Exposition) and authorizes the executive departments, independent establishments, and agencies of the Government to participate therein. Any expense incurred by such participation is to be met from any funds which may legally be used for that purpose and which may be available to such executive departments, independent establishments, or agencies.

SEC. 2. That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to such proposed Pacific Mercado (International Exposition) and to such proposed world's fair to be held in connection therewith, with a request that they participate therein.

Approved, August 26, 1937.

# [CHAPTER 818]

## AN ACT

To require certain common carriers by railroad to install and maintain certain appliances, methods, and systems intended to promote the safety of employees and travelers on railroads, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 26 of the Interstate Commerce Act, as amended (U. S. C., 1934 ed., title 49, sec. 26), is hereby amended to read as follows:

"SEC. 26. (a) The term 'carrier' as used in this section includes any carrier by railroad subject to this part (including any terminal or station company), and any receiver or any other individual or body, judicial or otherwise, when in the possession of the business of a carrier subject to this section: *Provided, however,* That the term 'carrier' shall not include any street, interurban, or suburban electric railway unless such railway is operated as a part of a general steam-railroad system of transportation, but shall not exclude any part of a general steam-railroad system of transportation now or hereafter operated by any other motive power.

"(b) That the Commission may, after investigation, if found necessary in the public interest, order any carrier within a time specified in the order, to install the block signal system, interlocking, automatic train stop, train control, and/or cab-signal devices, and/or other similar appliances, methods, and systems intended to promote the safety of railroad operation, which comply with specifications and requirements prescribed by the Commission, upon the whole or any part of its railroad such order to be issued and published a reasonable time (as determined by the Commission) in advance of the date for its fulfillment: *Provided,* That block signal systems, interlocking, automatic train stop, train control, and cab-signal devices in use on the date of the enactment of this amendatory provision or such systems or devices hereinafter installed may not be discontinued or materially modified by carriers without the approval of the Commission: *Provided further,* That a carrier shall not be held to be negligent because of its failure to install such systems, devices, appliances, or methods upon a portion of its railroad not included in the order, and any action arising because of an accident occurring upon such portion of its railroad shall be determined without consideration of the use of such systems, devices, appliances, or methods upon another portion of its railroad.

Official recognition extended.

Government agencies authorized to participate.

Payment of incurred expenses.

President requested to invite foreign countries to participate.

August 26, 1937  
[S. 29]

[Public, No. 378]

Interstate Commerce Act, amendments.  
41 Stat. 498.  
49 U. S. C. § 26.  
"Carrier" construed.

*Proviso.*  
Street, interurban, or suburban electric railways.

*Safety devices.*  
Installation of certain, upon order of Commission.

*Proviso.*  
Existing systems, etc.

Limit of carrier's liability.

Safety rules, standards, etc., to be filed with Commission.

Approval; binding effect upon carrier.

Previous. Preparation of rules, etc., by Commission.

Changes, by carrier.

By Commission.

Inspections, etc.

Inspectors.

Persons disqualified.

Defective appliances, etc.

Reports of failures of systems.

Report of accidents.

"(c) Each carrier by railroad shall file with the Commission its rules, standards, and instructions for the installation, inspection, maintenance, and repair of the systems, devices, and appliances covered by this section within six months after the enactment of this amendatory provision, and, after approval by the Commission, such rules, standards, and instructions, with such modifications as the Commission may require, shall become obligatory upon the carrier: *Provided, however,* That if any such carrier shall fail to file its rules, standards, and instructions the Commission shall prepare rules, standards, and instructions for the installation, inspection, maintenance, and repair of such systems, devices, and appliances to be observed by such carrier, which rules, standards, and instructions, a copy thereof having been served on the president, chief operating officer, trustee, or receiver, of such carrier, shall be obligatory: *Provided further,* That such carrier may from time to time change the rules, standards, and instructions herein provided for, but such change shall not take effect and the new rules, standards, and instructions be enforced until they shall have been filed with and approved by the Commission: *And provided further,* That the Commission may on its own motion, upon good cause shown, revise, amend, or modify the rules, standards, and instructions prescribed by it under this subsection, and as revised, amended, or modified they shall be obligatory upon the carrier after a copy thereof shall have been served as above provided.

"(d) The Commission is authorized to inspect and test any systems, devices, and appliances referred to in this section used by any such carrier and to determine whether such systems, devices, and appliances are in proper condition to operate and provide adequate safety. For these purposes the Commission is authorized to employ persons familiar with the subject. Such persons shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service. No person interested, either directly or indirectly, in any patented article required to be used on or in connection with any of such systems, devices, and appliances or who has any financial interest in any carrier or in any concern dealing in railway supplies shall be used for such purpose.

"(e) It shall be unlawful for any carrier to use or permit to be used on its line any system, device, or appliance covered by this section unless such apparatus, with its controlling and operating appurtenances, is in proper condition and safe to operate in the service to which it is put, so that the same may be used without unnecessary peril to life and limb, and unless such apparatus, with its controlling and operating appurtenances, has been inspected from time to time in accordance with the provisions of this section and is able to meet the requirements of such test or tests as may be prescribed in the rules and regulations hereinbefore provided.

"(f) Each carrier shall report to the Commission in such manner and to such extent as may be required by the Commission, failures of such systems, devices, or appliances to indicate or function as intended; and in case of accident resulting from failure of any such system, device, or appliance to indicate or function as intended, and resulting in injury to person or property which is reportable under the rules of the Commission, a statement forthwith must be made in writing of the fact of such accident by the carrier owning or maintaining such system, device, or appliance to the Commission; whereupon the facts concerning such accident shall be subject to investigation as provided in sections 3, 4, and 5 of the Act entitled

'An Act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission', approved May 6, 1910 (U. S. C., 1934 ed., title 45, secs. 40, 41, and 42).

"(g) It shall be the duty of the Commission to see that the requirements of this section and the orders, rules, regulations, standards, and instructions made, prescribed, or approved hereunder are observed by carriers, and all powers heretofore granted to the Commission are hereby extended to it in the execution of this section.

"(h) Any carrier which violates any provision of this section, or which fails to comply with any of the orders, rules, regulations, standards, or instructions made, prescribed, or approved hereunder shall be liable to a penalty of \$100 for each such violation and \$100 for each and every day such violation, refusal, or neglect continues, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed. It shall be the duty of such attorneys to bring such suits upon duly verified information being lodged with them showing such violations having occurred; and it shall be the duty of the Commission to lodge with the proper United States attorneys information of any violations of this section coming to its knowledge."

Approved, August 26, 1937.

36 Stat. 351.  
45 U. S. C. §§ 40,  
41, 42.

Enforcement by  
Commission.

Penalty for viola-  
tion.

#### [CHAPTER 819]

#### AN ACT

To provide suitable accommodations for the district court of the United States at Glasgow, Montana.

August 26, 1937  
[S. 537]

[Public, No. 379]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to provide suitable rooms and accommodations for holding terms of the district court of the United States in the Federal building, proposed to be constructed in Glasgow, Montana. The limit of cost for such building is hereby increased by such amount not in excess of \$100,000 as may be necessary for that purpose; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary not in excess of \$100,000 in addition to the sums heretofore appropriated and allocated, for the construction of such building.*

Glasgow, Mont.  
Accommodations  
for district court in  
proposed Federal  
building.

Limit of cost of con-  
struction increased.

Sums authorized.

SEC. 2. So much of section 92 of the judicial code, as amended, as reads "Provided, That suitable rooms and accommodations for holding court at Glasgow, Lewiston, and Havre are furnished free of all expense to the United States" is amended to read as follows: "Provided, That suitable rooms and accommodations for holding court at Lewiston and Havre are furnished free of all expense to the United States".

Section amended.  
44 Stat. 525.  
28 U. S. C. § 172.  
*Ante*, p. 474.

Accommodations at  
Lewiston and Havre.

Approved, August 26, 1937.

## [CHAPTER 820]

## AN ACT

August 26, 1937

[S. 2146]

[Public, No. 380]

To amend the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey", approved July 23, 1935.

Perth Amboy, N. J.  
Jurisdiction of Court  
of Claims extended to  
cover moneys expended  
by city in 1918-  
1920.  
49 Stat. 491.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey", approved July 23, 1935, be amended to read as follows: "That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey, against the United States upon its merits and according to the equities of the case with a view of reimbursing the claimant for money expended in 1918, 1919, and 1920 by the city of Perth Amboy, New Jersey, growing out of an agreement, formal or informal, with the United States to extend the city's water system for the purpose of supplying water to the Raritan Arsenal and Colonia Base Hospital, Numbered 2, less the present estimated value of the equipment installed under such agreement.

Institution of suit.

"SEC. 2. That the suit heretofore instituted under the Act of which this is amendatory, by the city of Perth Amboy, New Jersey, against the United States in the Court of Claims, numbered 43325, shall proceed under this Act, notwithstanding any lapse of time, laches, or any statute of limitations or any defense, except that said city shall be required to give sufficient assurance to the United States satisfactory to the Secretary of War that it will preserve the facilities for furnishing water on account of which this claim is made and will not destroy or render them unfit or ineffective for use except with the consent of the Secretary of War. Official letters, papers, documents, and public records or certified copies thereof from the files and records of the United States relating to the subject matter in controversy in said suit may be used in evidence by either party. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended."

Water facilities.

Evidence allowed.

Procedure, appeal,  
etc.

28 U. S. C. § 250.

Approved, August 26, 1937.

## [CHAPTER 821]

## AN ACT

August 26, 1937

[S. 2229]

[Public, No. 381]

To permit Members of Congress to enter into agreements under agricultural programs.

Agreements under  
agricultural programs.  
Participation in, by  
Members of Congress.  
48 Stat. 337, 1264.  
18 U. S. C. § 206;  
41 U. S. C. § 22.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act relating to contracts and agreements under the Agricultural Adjustment Act", approved January 25, 1934, as amended, is amended by inserting before the period at the end thereof a comma and the following: "and shall not apply to contracts or agreements of a kind which the Secretary of Agriculture may enter into with farmers: *Provided*, That such exemption shall be made a matter of public record".

*Proviso.*  
Exemption a matter  
of public record.

Approved, August 26, 1937.

## [CHAPTER 822]

## AN ACT

To amend the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858; 49 Stat. 1985).

August 26, 1937  
[S. 2455]

[Public, No. 382]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 202 of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1986), is hereby amended by adding a sentence at the end thereof to read as follows: "Notwithstanding any other provision of law, the Commission may, in accordance with good business methods and on such terms and conditions as it determines to effectuate the policy of this Act, operate or lease any lands, docks, wharves, piers, or real property under its control, and all money heretofore or hereafter received from such operation or lease shall be available for expenditure by the Commission as provided in this Act."

SEC. 2. That section 206 of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1987), is hereby amended to read as follows:

"SEC. 206. All sums of money now in the construction loan fund created by section 11 of the Merchant Marine Act, 1920, as amended, together with the proceeds of all debts, accounts, choses in action, and the proceeds of all notes, mortgages, and other evidences of indebtedness, hereby transferred to the Commission, and all of the proceeds of sales of ships and surplus property heretofore or hereafter made, including proceeds of notes or other evidences of debt taken therefor and the interest thereon, and, notwithstanding any other provision of law, all money representing amounts of unclaimed wages, salvage awards and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation and all money heretofore or hereafter received from the operation or leasing of lands, docks, wharves, piers, or real property shall be deposited in the Treasury of the United States and there maintained as a revolving fund, herein designated as the construction fund, and shall be available for expenditure by the Commission in carrying out the provisions of this Act. All moneys received by the Commission under the provisions of this Act shall be deposited in its construction fund, and all disbursements made by the Commission under authority of this Act shall be paid out of said fund, and, notwithstanding any other provision of law, all disbursements applicable to the money referred to in this section may be made by the Commission out of said fund. Further appropriations by Congress to replenish said fund are hereby authorized."

SEC. 3. That section 209 (b) of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1988), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and, notwithstanding any other provision of law, without deduction, allocation, or segregation in any manner for amounts of unclaimed wages, salvage awards, and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation."

SEC. 4. The sections of this Act shall be deemed operative as of the effective date of the sections of the Merchant Marine Act, 1936, amended thereby.

Approved, August 26, 1937.

Merchant Marine  
Act, 1936, amend-  
ments.  
49 Stat. 1986.  
46 U. S. C., Supp.  
II, § 1112.  
Operation or leasing  
of property under con-  
trol of Commission.

Funds available.

49 Stat. 1987.

Sums transferred to  
Commission.  
41 Stat. 993.  
46 U. S. C. § 870.

Proceeds of property  
sales.

Unclaimed wages,  
salvage awards, etc.

Deposits.

Disbursements.

Replenishment au-  
thorized.

49 Stat. 1988.  
Use of Shipping  
Board Merchant Fleet  
Corporation funds.

Effective date.



## [CHAPTER 823]

## AN ACT

August 26, 1937

[S. 2578]

[Public, No. 383]

Department of Commerce.

Lighthouse keepers, continuation of existing classification and pay system.

46 Stat. 1005.

To authorize the Secretary of Commerce to continue the existing system of classification and pay of positions of lighthouse keepers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 2 of the Act approved July 3, 1930 (46 Stat. 1003), the Secretary of Commerce is authorized, in his discretion, to continue the existing system governing the classification and pay of the positions of lighthouse keepers, pending the enactment by the Congress of legislation establishing and prescribing a system of classification and pay applicable to these positions.

Approved, August 26, 1937.

## [CHAPTER 824]

## AN ACT

August 26, 1937

[H. R. 196]

[Public, No. 384]

Clackamas County, Oreg.  
Conveyance of certain lands to, for public-park purposes.  
Description.

Reversionary provision.

*Proviso.*  
Timber rights reserved; right of county to purchase.

Regulations to be prescribed.

To convey certain lands to Clackamas County, Oregon, for public-park purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to issue a patent to Clackamas County, Oregon, on behalf of the United States, for the southeast quarter southwest quarter, the northeast quarter southwest quarter, and the northwest quarter southeast quarter section 11, township 4 south, range 2 east, Willamette meridian, in the State of Oregon, containing one hundred and twenty acres, more or less, on condition that such county shall accept and use such lands solely for public-park purposes; but if such county shall at any time cease to use such lands for public-park purposes, or shall permit the use of such lands for any other purpose, or shall alienate or attempt to alienate them, they shall revert to the United States: *Provided,* That there shall be reserved to the United States, its patentees, or their transferees, the right to cut and remove therefrom the merchantable timber reserving to Clackamas County, Oregon, when such sale is made under the provisions of the Act of June 9, 1916 (39 Stat. 218), a preference right to purchase the timber at the highest price bid.

SEC. 2. The Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Approved, August 26, 1937.

## [CHAPTER 825]

## AN ACT

August 26, 1937

[H. R. 1600]

[Public, No. 385]

Postal Service.  
49 Stat. 904.  
39 U. S. C., Supp. II, § 101.

43 Stat. 1060.  
39 U. S. C. § 101.

To credit laborers in the Postal Service with any fractional part of a year's substitute service toward promotion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Act Numbered 366, entitled "An Act to provide time credits for substitute laborers in the post office when appointed as regular laborers", approved August 27, 1935 (U. S. C., 1934 edition, Supp. I, title 39, sec. 101), is amended to read as follows:

"That section 5 of the Act entitled 'An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other pur-

poses', approved February 28, 1925 (43 Stat. 1060; U. S. C., title 39, sec. 101), is amended by adding thereto a new paragraph to read as follows:

"Whenever any substitute laborer, watchman, or messenger is appointed to a permanent position as laborer, watchman, or messenger, the substitute service performed by such laborer, watchman, or messenger shall be computed in determining the eligibility of such person for promotion to grade 2 on the basis of three hundred and six days of eight hours constituting a year's service. Effective at the beginning of the first quarter following approval of this Act, all laborers, watchmen, and messengers who have not progressed to grade 2 shall be promoted to that grade, provided they have the necessary credit of three hundred and six days of eight hours each constituting a year's service.

"Any fractional part of a year's substitute service will be included with service as a regular laborer, watchman, or messenger in the Postal Service in determining eligibility for promotion to the next higher grade following appointment to a regular position. Effective at once following approval of this Act, all laborers, watchmen, and messengers who have not progressed to grade 2 shall be promoted to that grade, provided they have the necessary credit of three hundred and six days of eight hours each constituting a year's service."

Approved, August 26, 1937.

#### [CHAPTER 826]

##### AN ACT

Giving superintendents at classified post-office stations credit for substitutes serving under them.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fourth paragraph of section 3 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustments, and for other purposes", approved February 28, 1925, as amended (U. S. C., title 39, sec. 93), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: *Provided*, That in determining the number of employees at a classified station credit shall be allowed for service performed by regular employees, substitute employees other than those serving in lieu of regular employees absent from duty for any cause and temporary employees assigned to the station, and for each two thousand four hundred and forty-eight hours of service performed by such employees the station superintendent shall be allowed credit for one employee.

Approved, August 26, 1937.

#### [CHAPTER 827]

##### AN ACT

To authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from the special fund in the Treasury of the United States created by the Act of June 17, 1902, and therein designated "The Reclamation Fund", there is hereby authorized to be appropriated the sum of \$500,000 for expenditure by the Secretary of the Interior, under the

Time credits for substitute laborers, etc., when appointed to permanent positions.

Promotions.

Credit for fractional part of year's substitute service.

Promotions.

August 26, 1937

[H. R. 1972]

[Public, No. 386]

Postal Service. Superintendents at classified stations.

43 Stat. 1057.  
39 U. S. C. § 93.

Credit for substitutes serving under, added in computing salaries.

August 26, 1937

[H. R. 2512]

[Public, No. 387]

Reclamation fund.  
32 Stat. 338.  
43 U. S. C. § 301.  
Appropriation authorized for construction of small storage reservoirs.

Cost limitation.

Federal reclamation laws, in the construction of small storage reservoirs at such locations within the States subject to the Federal reclamation laws, as the said Secretary may select, no reservoir to be constructed hereunder the estimated cost of which exceeds \$50,000.  
Approved, August 26, 1937.

## [CHAPTER 828]

## AN ACT

To provide for the extension of certain prospecting permits, and for other purposes.

August 26, 1937  
[H. R. 4277]  
[Public, No. 388]

General Leasing  
Act, amendments.  
Prospecting per-  
mits, extension of cer-  
tain, under prescribed  
conditions.  
41 Stat. 437; 49 Stat.  
674.  
30 U. S. C. §§ 181-  
287; Supp. II, § 221.

41 Stat. 441.

Termination.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That oil and gas prospecting permits issued under authority of an Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale<sup>1</sup> gas, and sodium on the public domain", approved February 25, 1920, as amended, outstanding on December 31, 1937, (a) which have been committed in whole or in part to a cooperative or unit plan of development and operation that on December 31, 1937, has been approved or prescribed by the Secretary of the Interior, or is in process of revision or reconsideration pursuant to prior review, without rejection, in the Department of the Interior; or (b) which, together with one or more other permits, have been committed in whole or in part to a cooperative or unit plan of development and operation for the whole of any single oil or gas pool or field (or reasonably compact area) that was filed before January 1, 1937, and rejected pursuant to instructions of said Secretary; or (c) under which approved drilling was actively in progress at some time within the calendar year 1937; or (d) under which at least one well shall have been drilled to a depth of not less than two thousand feet subsequent to August 21, 1935; or (e) which have been issued subsequent to August 21, 1935, and for which timely compliance has been made with the drilling requirements of section 13 of said Act of February 25, 1920, to the extent required by December 31, 1937, or, in the absence of such timely drilling, for which an acceptable cooperative or unit plan of development and operation has been filed on or before said date are all hereby extended to December 31, 1939, the provisions of any other Act or Acts to the contrary notwithstanding, subject, however, to the applicable conditions of the permits and of unfulfilled conditions of any prior extensions. All oil and gas prospecting permits shall cease and terminate without notice of cancellation on the final date of their current term, including any extension herein granted, and no extension of any permit beyond December 31, 1939, shall be granted under the authority of this Act or any other Act.

Approved, August 26, 1937.

## [CHAPTER 829]

## AN ACT

To continue in effect a certain lease for the quarters of the post office at Grover, North Carolina, and for other purposes.

August 26, 1937  
[H. R. 4402]  
[Public, No. 389]

Grover, N. C., post  
office.  
Lease for quarters  
continued.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lease for the quarters of the post office at Grover, North Carolina, pursuant to which rent was paid prior to the relegation, on July 1, 1934, of such post office to a post office of the fourth class, shall not be held or considered to have terminated or to terminate by reason of the provisions of the Act of May 24, 1928, entitled "An Act granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class,

45 Stat. 724.  
39 U. S. C. § 60a.

<sup>1</sup> So in original.

and for other purposes" (U. S. C., 1934 edition, title 39, sec. 60a), but beginning as of July 1, 1934, rent for such quarters shall be paid in accordance with the terms of such lease, out of the unexpended balances of the appropriation for the fiscal year ending June 30, 1937, for rent, light, and fuel for post offices of the first, second, and third classes, after deducting from the amount of such rent payable any amounts that may have been paid by the postmaster to the owner of the building for the period that the office was in the fourth class.

Approved, August 26, 1937.

#### [CHAPTER 830]

##### AN ACT

To fulfill certain treaty obligations with respect to water levels of the Lake of the Woods.

49 Stat. 1852.

August 26, 1937

[H. R. 6338]

[Public, No. 390]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized and directed to pay the claims for damages against the United States arising out of the fluctuations of the water levels of the Lake of the Woods as ascertained by him under authority of section 3 of the Act entitled "An Act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February 1925", approved May 22, 1926, as amended. The amount paid with respect to each claim shall be the amount of award set forth in the letter of the Secretary of War of February 16, 1931 (House Document Numbered 774, Seventy-first Congress, third session), and the letter of the Secretary of War of December 8, 1931 (House Document Numbered 133, Seventy-second Congress, first session). Such sums shall be paid to the claimant, or, in case the claimant is dead or insane, to the legal representative of the claimant. The Secretary of War is authorized and directed to prescribe such rules and regulations as may be necessary for the purpose of establishing the identity of claimants or their assignees or representatives, and his determination thereof shall be final. Payment by the Secretary of War shall be in full settlement of all claims for damages cognizable under section 3 of such Act of May 22, 1926, as amended. If with diligent effort the Secretary of War has been unable to pay any such claim within three years after the date of the enactment of this Act, the amount of such claim shall be covered into the Treasury as miscellaneous receipts.

Lake of the Woods.  
Payment of damage  
claims due to fluctua-  
tion of water levels.

44 Stat. 617, 2108.

Amount of award.

Rules to be pre-  
scribed.

Payment in full set-  
tlement, etc.

Unclaimed awards.

SEC. 2. There is authorized to be appropriated the sum of \$73,270.97 to carry out the purposes of this Act.

Amount authorized.

Approved, August 26, 1937.

#### [CHAPTER 831]

##### AN ACT

To amend section 3 of the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", increasing borrowing margin of municipality of Mayaguez.

August 26, 1937

[H. R. 6747]

[Public, No. 391]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", approved March 2, 1917, as amended, be amended to read as follows:

"SEC. 3. That no export duties shall be levied or collected on exports from Puerto Rico, but taxes and assessments on property, income taxes, internal revenue, and license fees, and royalties for

Puerto Rico, civil  
government.  
39 Stat. 963.  
48 U. S. C. §§ 741,  
741a, 745; Supp. II,  
§§ 745a, b.

Revenues.  
Export duties for-  
bidden; property and  
general taxes, etc.

franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by the Legislature of Puerto Rico; and when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Puerto Rico or any municipal government therein as may be provided by law, and to protect the public credit: *Provided, however,* That no public indebtedness of Puerto Rico and the municipalities of San Juan, Ponce, and Mayaguez shall be allowed in excess of 10 per centum of the aggregate tax valuation of its property, and no public indebtedness of any other subdivision or municipality of Puerto Rico shall hereafter be allowed in excess of 5 per centum of the aggregate tax valuation of the property in any such subdivision or municipality, and all bonds issued by the Government of Puerto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the Government of Puerto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Puerto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Puerto Rico has heretofore been pledged and bonds issued by the people of Puerto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Puerto Rico shall not be counted, but all bonds hereafter issued by any municipality or subdivision within the 5 per centum hereby authorized for which the good faith of the people of Puerto Rico is pledged shall be counted.

And it is further provided, That the internal-revenue taxes levied by the Legislature of Puerto Rico in pursuance of the authority granted by this Act on articles, goods, wares, or merchandise may be levied and collected as such legislature may direct, on the articles subject to said tax, as soon as the same are manufactured, sold, used, or brought into the island: *Provided,* That no discrimination be made between the articles imported from the United States or foreign countries and similar articles produced or manufactured in Puerto Rico. The officials of the Customs and Postal Services of the United States are hereby directed to assist the appropriate officials of the Puerto Rican Government in the collection of these taxes."

Approved, August 26, 1937.

[CHAPTER 832]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter Federal investigations and improvements of rivers, harbors, and other waterways shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and the supervision of the Chief of Engineers, except as otherwise specifically provided

Bond, etc., issues.

*Proviso.*  
Limitation on indebtedness.

Bonds issued to be tax exempt.

Computation of indebtedness.

Levy and collection of internal-revenue taxes.

*Proviso.*  
No discrimination.

August 26, 1937  
[H. R. 7051]  
[Public, No. 392]

Rivers and harbors, improvements.  
Work authorized.

Jurisdiction.

by Act of Congress, which said investigations and improvements shall include a due regard for wildlife conservation:

Chelsea River or Creek (Boston Harbor), Massachusetts; Rivers and Harbors Committee Document Numbered 24, Seventy-fifth Congress;

Chelsea River or Creek (Boston), Mass.

Town River, Quincy, Massachusetts; House Document Numbered 96, Seventy-fifth Congress;

Town River, Quincy, Mass.

Scituate Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 26, Seventy-fifth Congress;

Scituate, Mass.

Cuttyhunk Harbor, Massachusetts; House Document Numbered 81, Seventy-fifth Congress;

Cuttyhunk, Mass.

Edgartown Harbor, Massachusetts; Senate Commerce Committee Document, Seventy-fourth Congress;

Edgartown, Mass.

New Bedford and Fairhaven Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 25, Seventy-fifth Congress;

New Bedford and Fairhaven, Mass.

Providence River and Harbor, Rhode Island; House Document Numbered 173, Seventy-fifth Congress;

Providence River and Harbor, R. I.

Newport Harbor, Rhode Island; Rivers and Harbors Committee Document Numbered 36, Seventy-fifth Congress;

Newport, R. I.

New London Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 82, Seventy-fourth Congress;

New London, Conn.

Milford Harbor, Connecticut; House Document Numbered 77, Seventy-fifth Congress;

Milford, Conn.

Bridgeport Harbor, Connecticut; House Document Numbered 232, Seventy-fifth Congress;

Bridgeport, Conn.

Stamford Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 29, Seventy-fifth Congress;

Stamford, Conn.

Flushing Bay and Creek, New York; Rivers and Harbors Committee Document Numbered 35, Seventy-fifth Congress;

Flushing Bay and Creek, N. Y.

Greenport Harbor, New York; Rivers and Harbors Committee Document Numbered 88, Seventy-fourth Congress;

Greenport, N. Y.

Long Island Intracoastal Waterway, New York; House Document Numbered 181, Seventy-fifth Congress;

Long Island Intracoastal Waterway, N. Y.

New York Harbor: Ambrose, Anchorage, and Hudson River Channels; Senate Commerce Committee Document, Seventy-fifth Congress;

New York Harbor.

Fire Island Inlet, New York; Rivers and Harbors Committee Document Numbered 33, Seventy-fifth Congress;

Fire Island Inlet, N. Y.

Newtown Creek, New York; Rivers and Harbors Committee Document Numbered 4, Seventy-fifth Congress;

Newtown Creek, N. Y.

Irvington Harbor, New York; House Document Numbered 244, Seventy-fifth Congress;

Irvington, N. Y.

Raritan River, New Jersey; Rivers and Harbors Committee Document Numbered 74, Seventy-fourth Congress;

Raritan River, N. J.

Lemon Creek, Staten Island, New York; Rivers and Harbors Committee Document Numbered 27, Seventy-fifth Congress;

Lemon Creek, Staten Island, N. Y.

Sandy Hook Bay off Atlantic Highlands, New Jersey; House Document Numbered 292, Seventy-fifth Congress;

Sandy Hook Bay, Atlantic Highlands, N. J.

Cohansey River, New Jersey; Senate Commerce Committee Document, Seventy-fifth Congress;

Cohansey River, N. J.

Barnegat Inlet, New Jersey; Rivers and Harbors Committee Document Numbered 85, Seventy-fourth Congress;

Barnegat Inlet, N. J.

Delaware River between Philadelphia, Pennsylvania, and Trenton, New Jersey; Rivers and Harbors Committee Document Numbered 90, Seventy-fourth Congress;

Delaware River, Philadelphia, Pa., to Trenton, N. J.

Saint Jones River, Delaware; Rivers and Harbors Committee Document Numbered 18, Seventy-fifth Congress;

Saint Jones River, Del.

Mispillion River, Delaware; Rivers and Harbors Committee Document Numbered 83, Seventy-fourth Congress;

Mispillion River, Del.

Indian River Inlet and Bay, Del.	Indian River Inlet and Bay, Delaware; Rivers and Harbors Committee Document Numbered 41, Seventy-fifth Congress;
Susquehanna River, Havre de Grace, Md.	Susquehanna River at Havre de Grace, Maryland; House Document Numbered 322; Seventy-fifth Congress;
Rock Hall, Md.	Rock Hall Harbor, Maryland; House Document Numbered 204, Seventy-fifth Congress;
Island Creek, Md.	Island Creek, Maryland; House Document Numbered 75, Seventy-fifth Congress;
Waterway, Little Choptank River to Choptank River, Md. Cambridge, Md.	Waterway from Little Choptank River to Choptank River, Maryland; House Document Numbered 91, Seventy-fifth Congress;
Fishing Bay, Md.	Cambridge Harbor, Maryland; Rivers and Harbors Committee Document Numbered 7, Seventy-fifth Congress;
Nanticoke River, Md.	Fishing Bay, Maryland; House Document Numbered 186, Seventy-fifth Congress;
Wicomico River, Md.	Nanticoke River, Maryland; House Document Numbered 242, Seventy-fifth Congress;
Upper Thoroughfare, Deals Island, Md.	Wicomico River, Maryland; Senate Commerce Committee Document, Seventy-fifth Congress;
Crisfield, Md.	Upper Thoroughfare, Deals Island, Maryland; House Document Numbered 76, Seventy-fifth Congress;
Cypress Creek, Md.	Crisfield Harbor, Maryland; Rivers and Harbors Committee Document Numbered 2 and House Document Numbered 72, Seventy-fifth Congress;
Northeast River, Md.	Cypress Creek, Maryland; House Document Numbered 161, Seventy-fifth Congress;
Back Creek, Md.	Northeast River, Maryland; House Document Numbered 248, Seventy-fifth Congress;
Fishing Creek, Md.	Back Creek, Anne Arundel County, Maryland; House Document Numbered 73, Seventy-fifth Congress;
Saint Jeromes Creek, Md.	Fishing Creek, Maryland; House Document Numbered 241, Seventy-fifth Congress;
Neale Sound, Md.	Saint Jeromes Creek, Maryland; House Document Numbered 174, Seventy-fifth Congress;
Chincoteague Bay, Va.	Neale Sound, Maryland; House Document Numbered 159, Seventy-fifth Congress;
Onancock River, Va.	Chincoteague Bay, Virginia; House Document Numbered 233, Seventy-fifth Congress;
Coan River, Va.	Onancock River, Virginia; House Document Numbered 74, Seventy-fifth Congress;
Hoskins Creek, Va.	Coan River, Virginia; Rivers and Harbors Committee Document Numbered 30, Seventy-fifth Congress;
James River, Va.	Hoskins Creek, Virginia; Rivers and Harbors Committee Document Numbered 8, Seventy-fifth Congress;
Deep Creek, Va.	James River, Virginia; Rivers and Harbors Committee Document Numbered 68, Seventy-fourth Congress;
Lafayette River, Va.	Deep Creek, Virginia; Rivers and Harbors Committee Document Numbered 76, Seventy-fourth Congress;
Cashie River, N. C.	Lafayette River, Virginia; Rivers and Harbors Committee Document Numbered 5, Seventy-fifth Congress;
Pamlico and Tar Rivers, N. C.	Cashie River, North Carolina; Rivers and Harbors Committee Document Numbered 31, Seventy-fifth Congress;
Waterway, Pamlico Sound to Beaufort harbor, N. C.	Pamlico and Tar Rivers, North Carolina; Rivers and Harbors Committee Document Numbered 22, Seventy-fifth Congress;
Bay River, N. C.	Waterway connecting Pamlico Sound and Beaufort Harbor, North Carolina; Rivers and Harbors Committee Document Numbered 92, Seventy-fourth Congress;
	Bay River, North Carolina; Rivers and Harbors Committee Document Numbered 72, Seventy-fourth Congress, and House Document Numbered 185, Seventy-fifth Congress;

Morehead City Harbor and Beaufort Inlet, North Carolina; Senate Commerce Committee Document, Seventy-fourth Congress;

Channel from Back Sound to Lookout Bight, North Carolina; House Document Numbered 251, Seventy-fifth Congress;

Inland Waterway, Beaufort, North Carolina, to the Cape Fear River, including waterway to Jacksonville, North Carolina; Rivers and Harbors Committee Document Numbered 16, Seventy-fifth Congress;

Cape Fear River, North Carolina, above Wilmington; Rivers and Harbors Committee Document Numbered 17, Seventy-fifth Congress;

Intracoastal Waterway from Cape Fear River, North Carolina, to Savannah, Georgia; Rivers and Harbors Committee Document Numbered 6, Seventy-fifth Congress;

Ashley River, South Carolina; House Document Numbered 449, Seventy-fourth Congress;

Shipyard River, South Carolina; Rivers and Harbors Committee Document Numbered 38, Seventy-fifth Congress;

Savannah River below Augusta, Georgia; Rivers and Harbors Committee Document Numbered 39, Seventy-fifth Congress;

Waterway between Beaufort, South Carolina, and Saint Johns River, Florida; Senate Commerce Committee Document, Seventy-fourth Congress;

Intracoastal Waterway from Jacksonville to Miami, Florida; House Document Numbered 180, Seventy-fifth Congress;

Melbourne Harbor, Florida; House Document Numbered 390, Seventy-fourth Congress;

Miami Harbor, Florida; Rivers and Harbors Committee Document Numbered 86, Seventy-fourth Congress;

Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida; Rivers and Harbors Committee Document Numbered 28, Seventy-fifth Congress;

Charlotte Harbor, Florida; Rivers and Harbors Committee Document Numbered 95, Seventy-fourth Congress;

Sarasota Bay, Florida; House Document Numbered 80, Seventy-fifth Congress;

Saint Petersburg Harbor, Florida; Rivers and Harbors Committee Document Numbered 71, Seventy-fourth Congress;

Steinhatchee River, Florida; Rivers and Harbors Committee Document Numbered 87, Seventy-fourth Congress;

Intracoastal Waterway from Apalachicola Bay to Saint Marks River, Florida; House Document Numbered 291, Seventy-fifth Congress;

Saint Marks River, Florida; Rivers and Harbors Committee Document Numbered 77, Seventy-fourth Congress;

Saint Josephs Bay, Florida; Rivers and Harbors Committee Document Numbered 10, Seventy-fifth Congress;

Carrabelle Bar and Harbor, Florida; House Document Numbered 184, Seventy-fifth Congress;

Pensacola Harbor, Florida; Rivers and Harbors Committee Document Numbered 96, Seventy-fourth Congress;

Mobile Harbor, Alabama; Rivers and Harbors Committee Documents Numbered 69, Seventy-fourth Congress, and 44, Seventy-fifth Congress;

Bayous La Loutre, Saint Malo, and Yscloskey, Louisiana; House Document Numbered 275, Seventy-fifth Congress;

Bayou Dupre, Louisiana; House Document Numbered 321, Seventy-fifth Congress;

Vinton Waterway, Louisiana; House Document Numbered 160, Seventy-fifth Congress;

Morehead City and Beaufort Inlet, N. C.

Channel, Back Sound to Lookout Bight, N. C.

Waterway, Beaufort, N. C., to Cape Fear River, etc.

Cape Fear River, N. C., above Wilmington.

Intracoastal Waterway, Cape Fear River, N. C., to Savannah, Ga.

Ashley River, S. C.

Shipyard River, S. C.

Savannah River, below Augusta, Ga.

Waterway, Beaufort, S. C., to Saint Johns River, Fla.

Intracoastal Waterway, Jacksonville to Miami, Fla.

Melbourne, Fla.

Miami, Fla.

Caloosahatchee River and Lake Okeechobee Drainage Areas, Fla.

Charlotte, Fla.

Sarasota Bay, Fla.

Saint Petersburg, Fla.

Steinhatchee River, Fla.

Intracoastal Waterway, Apalachicola Bay to Saint Marks River, Fla.

Saint Marks River, Fla.

Saint Josephs Bay, Fla.

Carrabelle Bar and Harbor, Fla.

Pensacola, Fla.

Mobile, Ala.

Bayous La Loutre, etc., La.

Bayou Dupre, La.

Vinton Waterway, La.



Calcasieu River and Pass, La.

Bayous Petit Anse, etc., La.

Waterway, White Lake to Pecan Island, La.

Sabine-Neches Waterway, Tex.

Louisiana and Texas Intracoastal Waterway, La. and Tex.

Texas City Channel, Tex.

Channel, Pass Cavallo to Port Lavaca, Tex.

Brazos Island, Tex.

Ouachita and Black Rivers, Ark. and La.

Mississippi River, Missouri River to Minneapolis, Minn.

At Minneapolis, Minn.

Black River, Wis.

Indiana Harbor and Canal, Ind.

Ontonagon, Mich.

Cornucopia, Wis.

Green Bay, Wis.

Big Suamico River, Wis.

Manitowoc, Wis.

Racine, Wis.

Pensaukee, Wis.

Harbors at Washington Island, Wis.

Grand Haven, Mich.

Frankfort, Mich.

Detroit River, Mich.

Monroe, Mich.

Calcasieu River and Pass, Louisiana; House Document Numbered 299, Seventy-fifth Congress;

Bayous Petit Anse, Tigre, and Carlin, Louisiana; Rivers and Harbors Committee Document Numbered 40, Seventy-fifth Congress; Waterway from White Lake to Pecan Island, Louisiana; House Document Numbered 78, Seventy-fifth Congress;

Sabine-Neches Waterway, Texas; Rivers and Harbors Committee Document Numbered 3, Seventy-fifth Congress;

Louisiana and Texas Intracoastal Waterway, Louisiana and Texas; Senate Commerce Committee Document, Seventy-fifth Congress;

Texas City Channel, Texas; Rivers and Harbors Committee Document Numbered 47, Seventy-fifth Congress;

Channel from Pass Cavallo to Port Lavaca, Texas; Rivers and Harbors Committee Document Numbered 37, Seventy-fifth Congress;

Brazos Island Harbor, Texas; Rivers and Harbors Committee Document Numbered 32, Seventy-fifth Congress;

Ouachita and Black Rivers, Arkansas and Louisiana; Senate Commerce Committee Document, Seventy-fifth Congress;

Mississippi River between Missouri River and Minneapolis, Minnesota: The existing project is hereby modified in accordance with the recommendation of the District Engineer in the report submitted in Rivers and Harbors Committee Document Numbered 34, Seventy-fifth Congress;

Mississippi River, Minneapolis, Minnesota: Extension of the nine foot channel above Saint Anthony's Falls, in accordance with the plan contained in House Document Numbered 137, Seventy-second Congress, first session; subject to such changes therein as may be found advisable by the Chief of Engineers, and the final approval of the plan by the Board of Engineers for Rivers and Harbors, as necessary to provide adequate terminal facilities for Minneapolis;

Black River, Wisconsin; Rivers and Harbors Committee Document Numbered 23, Seventy-fifth Congress;

Indiana Harbor and Canal, Indiana; Rivers and Harbors Committee Document Numbered 13, Seventy-fifth Congress;

Ontonagon Harbor, Michigan; Senate Commerce Committee Document, Seventy-fourth Congress;

Cornucopia Harbor, Wisconsin; Senate Commerce Committee Document, Seventy-fifth Congress;

Green Bay Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 73, Seventy-fourth Congress;

Big Suamico River, Wisconsin; House Document Numbered 498, Seventy-fourth Congress;

Manitowoc Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 80, Seventy-fourth Congress;

Racine Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 46, Seventy-fifth Congress;

Pensaukee Harbor, Wisconsin; House Document Numbered 478, Seventy-fourth Congress;

Harbors at Washington Island, Wisconsin; House Document Numbered 90, Seventy-fifth Congress;

Grand Haven Harbor, Michigan; Rivers and Harbors Committee Document Numbered 1, Seventy-fifth Congress;

Frankfort Harbor, Michigan; House Document Numbered 511, Seventy-fourth Congress;

Detroit River, Michigan; House Document Numbered 205, Seventy-fifth Congress;

Monroe Harbor, Michigan; Rivers and Harbors Committee Document Numbered 45, Seventy-fifth Congress;

Cheboygan Harbor, Michigan; House Document Numbered 134, Seventy-fifth Congress;	Cheboygan, Mich.
Saginaw River, Michigan; Rivers and Harbors Committee Document Numbered 21, Seventy-fifth Congress;	Saginaw River, Mich.
Put in Bay, Ohio; House Document Numbered 132, Seventy-fifth Congress;	Put in Bay, Ohio.
Rocky River Harbor, Ohio; House Document Numbered 70, Seventy-fifth Congress;	Rocky River, Ohio.
Cleveland Harbor, Ohio; Rivers and Harbors Committee Document Numbered 84, Seventy-fourth Congress;	Cleveland, Ohio.
Fairport Harbor, Ohio; Rivers and Harbors Committee Document Numbered 79, Seventy-fourth Congress;	Fairport, Ohio.
Ashtabula Harbor, Ohio; Rivers and Harbors Committee Document Numbered 78, Seventy-fourth Congress;	Ashtabula, Ohio.
San Diego Harbor, California; Rivers and Harbors Committee Document Numbered 89, Seventy-fourth Congress;	San Diego, Calif.
Newport Bay, California; Senate Commerce Committee Document, Seventy-fifth Congress;	Newport Bay, Calif.
San Francisco Harbor, California; Rivers and Harbors Committee Document Numbered 12, Seventy-fifth Congress;	San Francisco, Calif.
Sacramento River flood control, California; Senate Commerce Committee Document, Seventy-fifth Congress;	Sacramento River flood control, Calif.
Humboldt Bay and Harbor, California; Rivers and Harbors Committee Document Numbered 11, Seventy-fifth Congress;	Humboldt Bay and Harbor, Calif.
Crescent City Harbor, California; Senate Commerce Committee Document, Seventy-fifth Congress;	Crescent City, Calif.
San Joaquin River, California; Rivers and Harbors Committee Document Numbered 15, Seventy-fifth Congress;	San Joaquin River, Calif.
Suisun Channel, California; Rivers and Harbors Committee Document Numbered 97, Seventy-fourth Congress;	Suisun Channel, Calif.
Old River, California; House Document Numbered 151, Seventy-fifth Congress;	Old River, Calif.
Yaquina Bay and Harbor, Oregon; Senate Commerce Committee Document, Seventy-fifth Congress;	Yaquina Bay and Harbor, Oreg.
De Poe Bay, Oregon; House Document Numbered 202, Seventy-fifth Congress;	De Poe Bay, Oreg.
Skipanon Channel, Oregon; House Document Numbered 201, Seventy-fifth Congress;	Skipanon Channel, Oreg.
Columbia River between the mouth of the Willamette and Vancouver, Washington; Rivers and Harbors Committee Document Numbered 81, Seventy-fourth Congress;	Columbia River, Willamette River to Vancouver, Wash.
Columbia and Lower Willamette Rivers, below Vancouver, Washington, and Portland, Oregon; House Document Numbered 203, Seventy-fifth Congress;	Columbia and Lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg.
Westport Slough, Oregon; House Document Numbered 79, Seventy-fifth Congress;	Westport Slough, Oreg.
Elokomin Slough, Washington; House Document Numbered 510, Seventy-fourth Congress;	Elokomin Slough, Wash.
Columbia River between Vancouver, Washington, and Bonneville, Oregon; Rivers and Harbors Committee Document Numbered 94, Seventy-fourth Congress;	Columbia River, Vancouver, Wash., to Bonneville, Oreg.
Bellingham Harbor, Washington; Rivers and Harbors Committee Document Numbered 70, Seventy-fourth Congress;	Bellingham, Wash.
Olympia Harbor, Washington; Rivers and Harbors Committee Document Numbered 75, Seventy-fourth Congress;	Olympia, Wash.
Tacoma Harbor, Washington; Rivers and Harbors Committee Document Numbered 91, Seventy-fourth Congress;	Tacoma, Wash.
Sitka Harbor, Alaska; House Document Numbered 268, Seventy-fifth Congress;	Sitka, Alaska.

Juneau, Alaska.

Juneau Harbor, Alaska; House Document Numbered 249, Seventy-fifth Congress;

Wake Island.

Wake Island; House Document Numbered 84, Seventy-fifth Congress;

Welles, Midway Island.

Welles Harbor, Midway Island; House Document Numbered 49 and Rivers and Harbors Committee Document Numbered 9, Seventy-fifth Congress;

San Juan, P. R.

San Juan Harbor, Puerto Rico; Rivers and Harbors Committee Document Numbered 42, Seventy-fifth Congress;

Arecibo, P. R.

Arecibo Harbor, Puerto Rico; Rivers and Harbors Committee Document Numbered 43, Seventy-fifth Congress;

Guayanes, P. R.

Guayanes Harbor, Puerto Rico; House Document Numbered 243, Seventy-fifth Congress;

Saint Thomas, Virgin Islands.

Saint Thomas Harbor, Virgin Islands; House Document Numbered 200, Seventy-fifth Congress.

Central Valley project, Calif.  
Transfer of jurisdiction.  
49 Stat. 1038, 1622.

SEC. 2. That the \$12,000,000 recommended for expenditure for a part of the Central Valley project, California, in accordance with the plans set forth in Rivers and Harbors Committee Document Numbered 35, Seventy-third Congress, and adopted and authorized by the provisions of section 1 of the Act of August 30, 1935 (49 Stat. 1028, at 1038), entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", shall, when appropriated, be available for expenditure in accordance with the said plans by the Secretary of the Interior instead of the Secretary of War: *Provided*, That the transfer of authority from the Secretary of War to the Secretary of the Interior shall not render the expenditure of this fund reimbursable under the reclamation law: *Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes: *Provided further*, That, except as herein otherwise specifically provided, the provisions of the reclamation law, as amended, shall govern the repayment of expenditures and the construction, operation, and maintenance of the dams, canals, power plants, pumping plants, transmission lines, and incidental works deemed necessary to said entire project, and the Secretary of the Interior may enter into repayment contracts, and other necessary contracts, with State agencies, authorities, associations, persons, and corporations, either public or private, including all agencies with which contracts are authorized under the reclamation law, and may acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, water rights, and other property necessary for said purposes: *And provided further*, That the said dam and reservoirs shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses; and, third, for power.

*Proviso.*  
Expenditure of fund not reimbursable.

Project reauthorized.

49 Stat. 115, 1622.

Purposes declared.

Repayments authorized.

Uses specified.

Marshall Ford Dam, Colorado River project, Tex.

SEC. 3. That for the purpose of improving navigation, controlling floods, regulating the flow of streams, providing for storage and for delivery of stored waters, for the reclamation of lands, and

other beneficial uses, and for the generation of electric energy as a means of financially aiding and assisting such undertaking, the project known as "Marshall Ford Dam", Colorado River project, in Texas, is hereby authorized and adopted and all contracts and agreements which have been executed in connection therewith are hereby validated and ratified, and the Secretary of the Interior, acting through such agents as he may designate, is hereby authorized to construct, operate, and maintain all structures and incidental works necessary to such project, and in connection therewith to make and enter into any and all necessary contracts including contracts amendatory of or supplemental to those hereby validated and ratified.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Contracts and agreements.

Construction, operation, etc., of structures.

Preliminary examinations and surveys authorized.

Proviso. Restriction.

Reports.

Adoption.

Surveys designated.

Northeast Harbor, Maine.

Presumpscot River, Maine.

Portland Harbor, Maine, north of House Island, to determine advisability of removing shoal.

Inland waterway between Merrimack River, Massachusetts, and Hampton Harbor, New Hampshire, by way of Black Rock Creek and Blackwater River.

Harbor of refuge at or in the vicinity of Swampscott, Massachusetts.

Ipswich River, Massachusetts.

Boston Harbor, Massachusetts.

Scituate Harbor, Massachusetts.

Saugus River, Massachusetts.

Nantasket (Hull) Gut, Massachusetts.

Wellfleet Harbor, Massachusetts.

Padanaram Harbor, at South Dartmouth, Massachusetts.

Warren River and Barrington Harbor, Rhode Island.

Connecticut River, below Hartford, Connecticut, including North Cove in the town of Old Saybrook.

Clinton Harbor, Connecticut.

Mianus River, Connecticut.

Westcott Cove, Connecticut.

Norwalk Harbor, Connecticut.

Greenwich Harbor, Connecticut.

Orowoc Creek, New York.

Huntington Harbor, New York.

Northport Harbor, New York.

Bronx Kills and Harlem River, New York.

Rondout Harbor, New York.

Waterway from Albany to Schenectady, New York, by way of Hudson and Mohawk Rivers, with a view to securing a depth of twenty-seven feet and suitable width.

Great Kills, Staten Island, New York.

Inland waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, with a view to dredging a turning basin in the vicinity of the Chesapeake Cruising Club Docks at Chesapeake City.

Cedar Creek, New Jersey.

Inland waterway through Cumberland, Cape May, and Atlantic Counties, New Jersey, connecting the mouth of Fortescue Creek with Atlantic City.

Waterway from Pleasantville, New Jersey, through Lake Bay, to deep water at Atlantic City, including connecting channel to Ocean City.

Baltimore Harbor and Channels, Maryland.

Choptank River, Maryland.

Duck Point Cove and Tedious Creek, Maryland.

Lower Thoroughfare, Deals Island, Maryland.

Town River, at Oxford, Maryland.

Hearns Creek, Dorchester County, Maryland.

Middle River and Dark Head Creek, Back River to Chesapeake Bay via Harts Island Narrows, and a cut-off channel from Gunpowder River to Chesapeake Bay via Spry Island Narrows, Maryland.

Saint Patricks Creek, Saint Marys County, Maryland.

Eli Cove, an arm of Stoney Creek, Anne Arundel County, Maryland.

Saint Catherines Sound, Saint Marys County, Maryland.

Mill Creek, Anne Arundel County, Maryland.

Plum Point Creek, Calvert County, Maryland.

Channel to Island Creek, Saint Georges Island, Saint Marys County, Maryland.

Channel connecting Herring Bay via Rockhole Creek to West River, Anne Arundel County, Maryland.

Pocomoke River, Maryland, from a point above Snow Hill to deep water in Pocomoke Sound.

Inland waterway from Ocean City, Maryland, to Chincoteague Bay.

Channels to and near Jefferson Islands, Chesapeake Bay, Maryland, with a view to their establishment as an aid to navigation and the establishment of a harbor of refuge.

Smallers Drain, Assateague Island, Virginia.

Channels at and near Hog Island, Virginia, with a view to their protection and preservation; also the protection of Hog Island and property thereon from erosion and storms.

Assateague Channel, Accomac County, Virginia, with a view to its protection and preservation; also the protection of Chincoteague Island and property thereon from erosion and storms.

Channel leading from Broadway Road, near Cashville, Accomac County, Virginia, to deep water in Onancock River.

Chincoteague Bay, Accomac County, Virginia, with a view to providing a protected anchorage and harbor for small boats at Chincoteague, Virginia.

Folly Creek, Accomac County, Virginia.

Hulls Creek and Rogers Creek, Northumberland County, Virginia.

Greenvale (Fairweather) Creek, Lancaster County, Virginia.

Whitings Creek, Middlesex County, Virginia.

Meachims Creek, Middlesex County, Virginia.

Woods Creek, Middlesex County, Virginia.

Queens Creek, Mathews County, Virginia, to provide adequate channel to deep water in Hills Bay.

Garden Creek, Mathews County, Virginia.

Western shores of Chesapeake Bay from Plum Point, York County, Virginia, to the waters at Hampton Roads, with a view to protecting the navigable waters of Chesapeake Bay and Hampton Roads from shoaling.

Burwells Bay, Virginia.

Southern branch of Elizabeth River, Norfolk Harbor, Virginia.

Inland waterway from Norfolk, Virginia, to Beaufort Inlet, North Carolina, with a view to the protection of lands in the vicinity of the lock at Great Bridge against flooding by storm tides.

Belhaven Harbor, North Carolina.

Dolls Creek, North Carolina.

Neuse River, North Carolina, with a view to improvement for navigation and flood control between the Johnson County line and New Bern.

Channel leading from the southeasterly end of Rollinson Channel, North Carolina, to the wharves in front of the town of Hatteras, North Carolina.

Channel from Edenton Bay, North Carolina, into Pembroke Creek to United States Fish Hatchery.

Channel from Pamlico Sound through Pugh's Channel to the town of Rodanthe, North Carolina.

Contentnea Creek, North Carolina, from a point near Wilson to its confluence with the Neuse River, with a view to improvement in the interest of navigation and flood control.

Beresford Creek, South Carolina, from Cooper River to Bridge Farm Wharves.

Waterway, approximately eight feet deep and fifty feet bottom width, from Crescent Lake, Florida, by way of Haw Creek to Bunnell, thence by way of a land cut to the sea at Flagler Beach.

Canaveral Harbor, Florida.

Channel from the Intracoastal Waterway to a point at or near Vero Beach, Florida.

Channel from main channel of the Intracoastal Waterway to the mainland at Sebastian, Florida.

Indian River, Indian River (Vero Beach), Saint Johns River Waterway, Florida.

Waterway from Punta Rasa, Florida, by way of the Caloosahatchee River and Canal, Lake Okeechobee, and Saint Lucie Canal and River, to the Intracoastal Waterway at Stuart.

Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida, with a view to constructing additional levees between Kissimmee River and Fisheating Creek.

Hillsboro River, Florida, from the upper end of the existing project to Sulphur Springs.

Waterway from Anclote River, by way of Lake Butler, to a point near Safety Harbor on Old Tampa Bay, Florida.

Anclote River, Florida.

Pithlachascotee River, Florida.

Fenholloway River, Florida.

Hudson Creek, Pasco County, Florida.

Weekiwachee River, Florida.

Florida River, Liberty County, Florida, and the Apalachicola River at and near the mouth of the Florida River.

Waterway between a suitable point on the channel from Apalachicola River to Saint Andrews Bay, Florida, and a suitable point in Saint Josephs Bay where the depth of said bay is thirty feet or more.

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Florida.

- Valley Creek, Alabama, to a point at or near Birmingham.
- Gulfport Harbor, Mississippi.
- Bayou Legare, Mississippi, at the mouth of the Jordan River.
- Back Bay of Biloxi, Mississippi.
- Mississippi River at and near New Orleans, Louisiana.
- Lake Pontchartrain, Louisiana, between the New Basin Canal and the Industrial Canal, for a harbor of refuge.
- Bayou Teche, Louisiana: Upper portion, with a view to improvement in the interest of navigation and flood control.
- Deep-water channel from New Iberia to the Gulf of Mexico.
- Colorado River, and its tributaries, Texas, with a view to its improvement in the interest of navigation and flood control.
- Goose Creek, Texas. Deep-water channel and port.
- Arroyo Colorado, Texas. A channel from a point at or near Mercedes, Texas, to its mouth, thence south in Laguna Madre to Port Isabel.
- Survey of channel for the purposes of navigation from Jefferson, Texas, to Shreveport, Louisiana, by way of Jefferson-Shreveport Waterway, thence by way of Red River to mouth of Red River in the Mississippi River, including advisability of water-supply reservoirs in Cypress River and Black Cypress River above head of navigation.
- Sabine-Neches Waterway, Texas.
- Texas City Channel, Texas.
- Brazos River, Texas, a comprehensive survey with a view to preparing plans, estimates of the cost of improvements for navigation, flood control, water conservation, and reclamation, excluding therefrom work now in progress under the Works Progress Administration. The expense of such survey shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.
- Channel from Palacios, Texas, and Camp John A. Hulen, to the Intracoastal Waterway.
- Channel connecting San Antonio Bay, Texas, with the Gulf of Mexico.
- Allens Creek, a tributary of the Brazos River in Austin County, Texas, in the interest of navigation and of flood control.
- Mill Creek, a tributary of the Brazos River in Austin County, Texas, in the interest of navigation and of flood control.
- Navidad River, Texas, in the interest of navigation and of flood control.
- Lavaca River, Texas, in the interest of navigation and of flood control.
- Channel or channels across Padre Island, Texas, from Laguna Madre to the Gulf of Mexico.
- Corpus Christi, Texas, with a view to its protection by the construction of breakwaters, sea walls, or jetties.
- Canal from Ouachita River to Huttig, Arkansas.
- Carter Lake, Iowa and Nebraska.
- Meredosia Bay, Illinois River, Illinois.
- Tanners Creek, Dearborn County, Indiana.
- Gladstone Harbor, Michigan.
- Escanaba Harbor, Michigan.
- Miller Bay, Lake Winnebago, Wisconsin.
- Mona Lake (Lake Harbor) Channel, Michigan.
- Kenosha Harbor, Wisconsin.
- The Indiana shore of Lake Michigan with a view to the establishment of a harbor at the most suitable site.
- Harbors at Glen Haven and Glen Arbor, Michigan.

Petoskey Harbor, Michigan.

The coasts of the Great Lakes with a view to the establishment of harbors of refuge for light-draft vessels.

Saginaw Bay, Michigan.

Grand Traverse Bay, Michigan.

Put in Bay, Ohio.

Ottawa River, Ohio.

Erie Harbor, Pennsylvania, beach numbered 2.

Wilson Harbor, New York.

Rochester (Charlotte) Harbor, Genesee River, New York.

Upper Newport Bay, California.

Harbor at Playa Del Ray, California.

Monterey Harbor, California.

San Lorenzo River, California.

Sonoma Creek, California.

Noyo River, California, including harbor at the mouth thereof.

Benicia Harbor, Solano County, California.

Collinsville Cut, Solano County, California.

Werner Cut, near Werner, Contra Costa County, California.

Alamitos Bay, Los Angeles County, California.

Smugglers Cove (Short Sands Beach), Oregon.

Necanicum River, Oregon.

Channel at Knappton, Washington.

Columbia River at and in the vicinity of Camas, Washington.

Port Angeles Harbor, Washington.

Unga Harbor, Alaska.

Seldovia Harbor, Alaska.

Waterway to connect Tenakee Inlet and Port Frederick on Chichagof Island, Alaska.

Wrangell Harbor, Alaska.

Craig Harbor, Alaska.

Grantley Harbor at Teller, Alaska.

Mouth of Sinuk River, Alaska.

Elfin Cove, Alaska.

Myers Chuck Harbor, Alaska.

Hilo Harbor, Hawaii, including consideration of methods to prevent shoaling by the flow of lava.

Keehi Lagoon, Honolulu, for a seaplane harbor.

Jobos Harbor, Guayama, Puerto Rico.

Fajardo Harbor, Fajardo, Puerto Rico.

Guayanilla Harbor, Guayanilla, Puerto Rico.

SEC. 5. That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Ohio River and its tributaries to ascertain what pollutive substances are being deposited, directly or indirectly, therein and the sources and extent of such deposits, and with a view to determining the most feasible method of correcting and eliminating the pollution of these streams.

The survey herein authorized shall include comprehensive investigations and studies of the various problems relating to stream pollution and its prevention and abatement. In making these investigations and studies, and in the development and formulation of corrective plans, the Secretary of War may, with the approval of the Secretary of the Treasury, secure the cooperation and assistance of the Public Health Service, and may allot funds from the appropriation hereinafter designated to pay for such cooperation and assistance. The survey shall be completed as soon as practicable after the passage of this Act, and the Secretary of War shall report the results thereof to the Congress, together with such recommendations for remedial legislation as he deems advisable.

Ohio River, pollution deposits.

Cooperation of Public Health Service.

Report to Congress.



## Expenses.

The cost of the survey, and such incidental expenses as may be necessary in connection therewith, shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Little Callao Land-  
ing, Big Sunflower  
River, Miss.  
Project abandoned.

SEC. 6. That the project for the maintenance and operation of the lock and dam at Little Callao Landing, mile 62, Big Sunflower River, Mississippi, be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Sabine-Neches Wa-  
terway.  
Portion of project  
at Beaumont, Tex.,  
abandoned.

SEC. 7. That the project for improvement of the existing channel of that section of the Sabine-Neches Waterway, Texas, south and west of Harbor Island from a point opposite Orleans Street, in the city of Beaumont, Texas, to the junction of the main channel in the Neches River, be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Eastside, Oreg.,  
dam, etc., construc-  
tion.

SEC. 8. That authority is hereby granted to the State of Oregon, acting through its highway department, and to the city of Eastside, Coos County, Oregon, a municipal corporation organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interest of navigation, a dam and dike for preventing the flow of tidal waters into Willanch Slough in Coos County, Oregon.

## Approval of plans.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

## Time of construction.

The authority granted by this section shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act. The right to alter, amend, or repeal this section is hereby expressly reserved.

## Amendment, etc.

North Slough, Oreg.,  
dam construction, etc.

SEC. 9. That authority is hereby granted to the State of Oregon, acting through its highway department, to the North Slough Drainage District, and to the North Slough Diking District, organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interests of navigation, a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oregon, in township 24 south, range 18 west, Willamette meridian.

## Approval of plans.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

## Time of construction.

The authority granted by this Act shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act. The right to alter, amend, or repeal this section is hereby expressly reserved.

## Amendment, etc.

Rivers and harbors,  
compilation of laws  
relating to improve-  
ment.

SEC. 10. That the laws of the United States relating to the improvement of rivers and harbors, passed between March 4, 1913, until and including the laws of the first session of the Seventy-fifth Congress, shall be compiled under the direction of the Secretary of War and printed as a document, and that six hundred additional copies shall be printed for the use of the War Department.

Approved, August 26, 1937.

## [CHAPTER 833]

## AN ACT

To authorize an exchange of lands at the New Cumberland General Depot, Pennsylvania.

August 26, 1937  
[H. R. 7210]

[Public, No. 393]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to convey to the Commonwealth of Pennsylvania all right, title, and interest of the United States in and to that portion of the New Cumberland General Depot, New Cumberland, Pennsylvania, consisting of that portion of the said depot lying in the northwest corner thereof and now occupied by the Commonwealth of Pennsylvania under a lease dated June 2, 1936, and to accept in exchange therefor a conveyance from the Commonwealth of Pennsylvania of the fee-simple title to a tract of land adjoining New Cumberland General Depot of approximately the same area, both conveyances to be under such terms and conditions as may be prescribed by the Secretary of War.

Approved, August 26, 1937.

New Cumberland  
General Depot, Pa.  
Exchange of lands  
at, authorized.

## [CHAPTER 834]

## AN ACT

To authorize appropriations for construction and rehabilitation at military posts, and for other purposes.

August 26, 1937  
[H. R. 7645]

[Public, No. 394]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated not to exceed \$25,587,456, to be expended for the construction, rehabilitation, and installation at military posts of such buildings and utilities and appurtenances thereto as may be necessary, as follows:

Military posts.  
Construction, reha-  
bilitation, etc.

Station	Description of construction	Amount
Army and Navy General Hospital, Hot Springs, Ark.	Quarters.....	\$34, 000
	Telephone.....	1, 000
Total.....		35, 000
Air Corps Technical School, Denver, Colo.	Barracks.....	935, 000
	Hospital headquarters and administra- tion building.....	200, 000
	School building.....	540, 000
	Runways.....	300, 000
	Grading and improving landing field...	300, 000
Total.....		2, 275, 000
Fort Barrancas, Fla. ....	Quarters (noncommissioned officers, 10).....	85, 000
	Telephone construction.....	2, 000
Total.....		87, 000
Fort Benning, Ga. ....	Water system, improvements to pump- ing and filtration plants; reservoir storage.....	180, 000

Station	Description of construction	Amount
Fort Bliss, Tex.-----	Barracks-----	\$275, 000
	Quarters (warrant officers and noncom- missioned officers, 20).-----	170, 000
	Radio station, including towers (Biggs Field).-----	17, 000
	Telephone construction-----	1, 000
	Total-----	463, 000
Fort Bragg, N. C.-----	Barracks-----	412, 500
	Telephone construction-----	1, 000
	Total-----	413, 500
Carlisle Barracks, Pa.-----	Quarters-----	238, 000
	Telephone construction-----	3, 000
	Quarters-----	348, 000
	Sterilizing plant, etc-----	35, 000
	Barracks (125 men)-----	137, 500
	Total-----	761, 500
Chanute Field, Ill.-----	Barracks, including mess facilities-----	1, 035, 000
	Quarters, noncommissioned officers-----	505, 000
	Hospital-----	300, 000
	Central heating plant, beginning-----	500, 000
	School building-----	540, 000
	Total-----	2, 880, 000
Fort Crook, Nebr.-----	Barracks (addition to)-----	55, 000
	Barracks-----	137, 500
	Telephone construction-----	500
	Total-----	193, 000
Fort Devens, Mass.-----	Quarters, officers-----	107, 400
	Quarters, noncommissioned officers-----	42, 500
	Telephone, telegraph, and radio station-----	45, 000
	Telephone construction-----	6, 000
	Total-----	200, 900
Fort Douglas, Utah.-----	Medical detachment barracks-----	42, 000
Fort DuPont, Del.-----	Barracks-----	412, 500
	Telephone construction-----	1, 000
	Total-----	413, 500
Fort Ethan Allen, Vt.-----	Quarters (30 noncommissioned officers)-----	255, 000
	Telephone-----	2, 500
	Total-----	257, 500

Station	Description of construction	Amount
Fitzsimons General Hospital, Colo.	Hospital.....	\$1, 750, 000
	Telephone construction.....	20, 000
	Total.....	1, 770, 000
Frankford Arsenal, Philadelphia, Pa.	Office building.....	225, 000
	Extension building no. 127 acoustic laboratory.	23, 000
	Extension of annealing room building no. 215.	7, 000
	Total.....	255, 000
Fort Sam Houston, Tex.	Hospital (addition).....	235, 000
	Basement in transmitter building.....	4, 000
	Barracks.....	550, 000
	Telephone construction.....	4, 000
	Total.....	793, 000
Fort Huachuca, Ariz.	Hospital (50 beds, 32 Medical Detachment).	225, 000
	Barracks (250 men).....	275, 000
	Telephone construction.....	500
	Total.....	500, 500
Fort Humphreys, D. C.	Reproduction plant.....	74, 880
	Telephone construction.....	3, 500
	Total.....	78, 380
Jefferson Barracks, Mo.	Barracks (medical and other detachment)	82, 500
	Mess and kitchen addition to barracks.	60, 000
	Nurses quarters.....	63, 000
	Total.....	205, 500
Fort Knox, Ky.	Hospital.....	200, 000
	Barracks.....	550, 000
	Quarters.....	277, 200
	Telephone construction.....	10, 000
	Total.....	1, 037, 200
Fort Leavenworth, Kans.	Auditorium and production plant.....	600, 000
Madison Barracks, N. Y.	Barracks.....	137, 500
	Quarters, noncommissioned officers.....	136, 000
	Telephone construction.....	1, 000
	Water supply.....	85, 000
	Total.....	359, 500

Station	Description of construction	Amount
Fort McArthur, Calif.....	Barracks and utilities.....	\$137, 500
	Telephone construction.....	1, 000
Total.....		138, 500
Fort McPherson, Ga.....	Radio station.....	23, 000
	Dental clinic.....	85, 000
Total.....		108, 000
Fort Monmouth, N. J.....	Barracks.....	137, 500
	Signal Corps laboratory.....	220, 000
	Telephone construction.....	20, 000
Total.....		377, 500
Fort Monroe, Va.....	Barracks, quartermaster detachment.....	110, 000
	Barracks (addition to).....	225, 000
	Enlisted Specialists' School.....	69, 500
	Telephone construction.....	12, 000
Total.....		416, 500
Fort Myer, Va.....	Hospital addition.....	9, 000
	Barracks Building No. 104.....	55, 000
	Barracks (addition to).....	220, 000
	Telephone construction.....	500
Total.....		284, 500
Presidio of San Francisco, Calif.	Barracks (250 men).....	275, 000
	Barracks, Quartermaster and detach- ments.....	275, 000
	Telephone construction.....	5, 000
	Quarters (noncommissioned officers) telephone construction and utilities.....	38, 870
Total.....		593, 870
Fort Riley, Kans.....	Academic building.....	400, 000
	Telephone construction.....	5, 000
Total.....		405, 000
Fort D. A. Russell, Tex.....	Motor shop, truck, and gun shed.....	77, 818
Fort Sill, Okla.....	Barracks.....	330, 000
	Telephone construction.....	1, 000
Total.....		331, 000
Fort Thomas, Ky.....	Barracks.....	412, 500
	Telephone construction.....	2, 500
Total.....		415, 000
Fort Francis E. Warren, Wyo.	Barracks, medical detachment.....	137, 500
	Gymnasium.....	140, 000
Total.....		277, 500

Station	Description of construction	Amount
Headquarters Provisional Brigade and Washing- ton Quartermaster De- pot, D. C.	Barracks..... Land, purchase of.....	\$1, 320, 000 573, 188
Total.....		1, 893, 188
Fort Washington, Md.....	Quarters (officers' double).....	30, 000
Fort Wayne, Mich.....	Quarters (8 noncommissioned officers).....	68, 000
Total for the United States.		19, 217, 356
HAWAII		
Schofield Barracks.....	Barracks, Eleventh Field Artillery..... Barracks, detachments..... Telephone construction..... Barracks, detachments.....	1, 256, 200 498, 300 11, 000 283, 800
Total.....		2, 049, 300
Fort Shafter.....	Barracks..... Telephone construction.....	825, 000 2, 500
Total.....		827, 500
Department Headquar- ters, Fort Shafter.	Quarters.....	246, 500
Tripler General Hospital.....	Barracks, medical detachment..... Telephone construction.....	176, 000 3, 000
Total.....		179, 000
Total, Hawaii.....		3, 302, 800
PANAMA		
Fort Clayton.....	Barracks..... Telephone..... Barracks..... Telephone construction.....	825, 000 3, 000 687, 500 2, 000
Total.....		1, 517, 500
Corozal General Depot.....	Barracks..... Telephone construction.....	454, 300 5, 000
Total.....		459, 300
Fort Davis.....	Barracks..... Telephone construction.....	550, 000 3, 000
Total.....		553, 000

Station	Description of construction	Amount
PANAMA—continued		
Fort de Lesseps.....	Barracks.....	\$120, 000
Fort Kobbe.....	Barracks.....	55, 000
	Warehouse and shops.....	20, 000
	Special project.....	7, 000
	Water tank.....	8, 000
Total.....		90, 000
Panama Canal Zone.....	Rehabilitation.....	328, 000
Total, Panama.....		3, 067, 800
Grand total.....		25, 587, 456

Air Corps Technical School.  
Establishment of branch at Denver, Colo.

Proviso.  
Acquisition of site.

Camp Joseph T. Robinson, Ark.  
Designation of Camp Pike changed to.

SEC. 2. The Secretary of War is hereby authorized to establish in or near Denver, Colorado, a branch of the Air Corps Technical School at Chanute Field, Illinois, and to accept on behalf of the United States, free from encumbrance or conditions and without cost to the United States, for use as a site for the extension to such school, the title in fee simple to nine hundred and sixty acres of land, more or less, within and without the city limits of the city of Denver, Colorado, including the property known as the "Agnes (Phipps) Memorial Sanitarium", together with existing buildings and equipment located thereon; and, also, a tract of land, within the State of Colorado, suitable for use as an aerial gunnery and bombing range by the Army Air Corps: *Provided*, That in the event a donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

SEC. 3. That the military reservation near Little Rock, Arkansas, now known as Camp Pike, shall be designated, and hereafter be known as "Camp Joseph T. Robinson."

Approved, August 26, 1937.

[CHAPTER 866]

AN ACT

To amend section 3 of the Act of June 18, 1934 (48 Stat. 984-988), relating to Indian Lands in Arizona.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3 of the Act of June 18, 1934 (48 Stat. 984-988), be, and it is hereby, amended to read as follows:

"SEC. 3. (a) The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however*, That valid rights or claims of any persons to any lands so withdrawn existing

August 28, 1937  
[S. 2188]  
[Public, No. 396]

Indian lands in Arizona.  
48 Stat. 984.  
26 U. S. C. § 463.

Restoration of lands to tribal ownership.

Provisos.  
Existing rights not affected.

on the date of the withdrawal shall not be affected by this Act: *Provided further*, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation.

Lands in reclamation projects.

“(b) (1) The order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: *Provided*, That damages shall be paid to the superintendent or other officer in charge of the reservation for the credit of the owner thereof, for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior to be the fair and reasonable value of such improvements: *Provided further*, That a yearly rental not to exceed 5 cents per acre shall be paid to the superintendent or other officer in charge of the reservation for deposit in the Treasury of the United States to the credit of the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations.

Order withdrawing lands from mineral entry, etc., revoked.

*Proviso.*  
Payment for loss of improvements.

Annual rental.

“(2) In the event any person or persons, partnership, corporation, or association desires a mineral patent, according to the mining laws of the United States, he or they shall first pay to the superintendent or other officer in charge of the reservation, for deposit in the Treasury of the United States to the credit of the Papago Tribe, the sum of \$1 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss of the use or occupancy of the lands withdrawn by the requirements of mining operations; but the sum thus deposited, except for a deduction of rental at the annual rate hereinbefore provided, shall be refunded to the applicant in the event that patent is not acquired: *Provided*, That an applicant for patent shall also pay to the superintendent or other officer in charge of the said reservation for the credit of the owner thereof, damages for the loss of improvements not theretofore paid, in such a sum as may be determined by the Secretary of the Interior to be the fair value thereof.

Mineral patents.  
Deposit in lieu of rent for loss of use, etc.

Refund, if patent not acquired.

*Proviso.*  
Payment by applicant for damages for loss of improvements.

“(3) Water reservoirs, charcos, water holes, springs, wells, or any other form of water development by the United States or the Papago Indians shall not be used for mining purposes under the terms of this Act, except under permit from the Secretary of the Interior approved by the Papago Indian Council: *Provided*, That nothing herein shall be construed as interfering with or affecting the validity of the water rights of the Indians of this reservation: *Provided further*, That the appropriation of living water heretofore or hereafter affected by the Papago Indians is hereby recognized and validated subject to all the laws applicable thereto.

Water developments, restriction on use.

*Proviso.*  
Rights of Indians not affected.

Appropriation of living water.

“(4) Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202).”

Rights-of-way, etc., not restricted.

46 Stat. 1202.

Approved, August 28, 1937.



## [CHAPTER 867]

## AN ACT

August 28, 1937

[S. 2688]

[Public, No. 396]

To provide for preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of the Rio Grande and Pecos Rivers.

Rio Grande and  
Pecos Rivers.  
Preliminary exam-  
inations of watersheds  
of, for water-flow re-  
tardation.

49 Stat. 1592.

Payment of cost.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds, including all tributaries, of the Rio Grande and Pecos Rivers, above the point of their confluence, in the same manner and to the same extent as is provided for those localities named in section 6 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; the cost thereof to be paid from appropriations heretofore or hereafter made for the purpose of carrying out the provisions of such section.

Approved, August 28, 1937.

## [CHAPTER 868]

## AN ACT

August 28, 1937

[S. 2774]

[Public, No. 397]

To authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest in certain land acquired by the United States under the Federal Reclamation Laws.

Blackfeet Indians,  
Mont.  
Relinquishment of  
lands held for recla-  
mation purposes to.

Conditions.

Title to be held in  
trust.

Provisions.  
Easements, etc., re-  
served.

Approval by tribal  
council.

Expenditure au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest acquired by the United States for Federal reclamation purposes in the lands within the exterior boundaries of the present Blackfeet Indian Reservation, that were acquired for Federal reclamation purposes and are determined in the opinion of said Secretary not to be needed for such purposes. Such relinquishment shall be conditioned upon the repayment into the reclamation fund of a sum equal to the amount taken therefrom for the purchase of the lands so relinquished, including the amounts paid for the benefit of allottees where the land acquired for Federal reclamation purposes was allotted land. Upon such relinquishment and payment being made, the title to said lands shall be and remain in the United States in trust for the Indians of the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana: *Provided*, That in making such relinquishments the Secretary may reserve for Federal reclamation purposes such easements and rights as in his opinion may be required for present or future developments under the Federal reclamation laws, and the amount payable into the reclamation fund on account of such relinquishment shall be reduced by the value of the easements and rights so retained for Federal reclamation purposes, such value to be conclusively ascertained by said Secretary: *Provided further*, That no relinquishments herein authorized shall be effective unless approved in writing by the Blackfeet Tribal Council.

SEC. 2. The Secretary of the Interior is hereby authorized to expend from any moneys on deposit in the Treasury of the United States to the credit of the Blackfeet Indians not to exceed \$30,000 for the purpose of carrying out the purposes of this Act.

Approved, August 28, 1937.

## [CHAPTER 869]

## AN ACT

To approve a compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake.

August 28, 1937

[S. 2831]

[Public, No. 398]

Whereas, under date of the 28th day of October 1936, the State of Ohio and the Commonwealth of Pennsylvania entered into a certain compact or agreement in the following words:

Compact between  
Ohio and Pennsylv-  
ania relating to Py-  
matuning Lake.

**"AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA  
AND THE STATE OF OHIO RE PYMATUNING LAKE**

"This agreement made and concluded between the Commonwealth of Pennsylvania acting by and through its lawfully authorized agency namely the Water and Power Resources Board as party of the first part and the State of Ohio acting by and through its lawfully authorized agency namely its Director of Conservation as party of the second part.

Text of agreement.

"Witnesseth

"Whereas By act of Assembly of Pennsylvania approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1503) as amended by the acts approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws 84) the twenty-fourth day of April one thousand nine hundred and thirty-three (Pamphlet Laws 67) and the ninth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 619) the Department of Forests and Waters of Pennsylvania acting through the Water and Power Resources Board was authorized inter alia to complete the work begun and continued under an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws 1270) entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation' and did duly complete said work whereby there was created a lake or reservoir now known and hereinafter called Pymatuning Lake extending in part across the boundary line between said States of Ohio and Pennsylvania into the State of Ohio and

"Whereas The primary purposes of the project by which said lake was created was to conserve water draining said swamp all of which has its source in Pennsylvania as well as control floods and regulate the flow of water in the Shenango and Beaver Rivers and secondary thereto permit the water and the land surrounding the same to be used for fishing hunting recreational and park purposes under such terms and conditions as the Water and Power Resources Board might determine in such way or ways as in the opinion if<sup>1</sup> the said board will not materially interfere with the primary purpose in said acts of assembly and hereinbefore specifically referred to and

"Whereas In view of the fact that a certain part of the lake extends into the State of Ohio whereby it is necessary and desirable that the use of the lake for the secondary purposes namely hunting fishing and recreational use be uniformly provided for as well as to guard against inconveniences and mischiefs which might hereafter arise from the uncertainty or<sup>1</sup> jurisdiction within and on said lake to the end that the lake may be adequately

<sup>1</sup> So in original.

policed and conflicts of jurisdiction for the arrest and punishment of offenders be avoided.

"Now then therefore In order that law and justice may in all cases be executed and take effect upon said lake from shore to shore in all parts and places thereof where the lake is a boundary between said states the said parties hereto do agree for and in behalf of their respective states in the manner following

**"General Use**

General use.

"It is hereby agreed that the entire Pymatuning Lake or Reservoir subject to the primary use thereof by the Commonwealth of Pennsylvania for regulating the flow of the water in the Shenango and Beaver Rivers as in Paragraph 9 hereinafter more specifically mentioned shall be open for recreational use equally to the citizens of both contracting parties save as restricted as to hunting fishing and boating in this agreement set forth or hereafter mutually agreed upon by both parties but no person shall be permitted to hunt or fish thereon unless the lawful holder of a fishing or hunting license authorizing him or her so to do issued by the proper authorities of Pennsylvania or of Ohio.

**"2. ARREST AND PROSECUTION OF OFFENDERS**

Arrest and prosecution of offenders.

"That each state shall enjoy and exercise a concurrent jurisdiction upon the water (but not upon the dry land between the shores of said lake including the islands therein) with respect to the arrest and prosecution of offenders but in such sort that any boat or vessel fastened to or aground on the shore of either state shall be considered exclusively within the jurisdiction of said state but that all capital and other offenses trespasses or damages committed on or over said lake the judicial investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offense shall be first apprehended arrested prosecuted or first brought to trial it being the intent of this agreement that an offender may be pursued and arrested anywhere on or over said lake or shores thereof or islands therein regardless of the boundary line by any peace officers or persons of either state authorized to make arrests whether the offenses be committed on or over any part of the lake on the shores or islands therein regardless of the state in which the place where the offense was committed lies.

**"3. ISLANDS**

Islands.

"All islands within the lake shall be considered as part of the State of Pennsylvania.

**"4. POLLUTION OF WATER**

Pollution of water.

"The lake shall forever be protected against pollution of its waters by industrial trade waste individual or municipal sewage from shore or boat and the discharge of any noxious or deleterious substance liquid or solid into the waters of the lake which is or may become inimical or injurious to public health or to animal or aquatic<sup>1</sup> life is hereby expressly forbidden.

"No sewage may be discharged into the waters of the lake except after complete treatment and then only upon permit first approved by the Health Departments of both states.

**"5. BOATS AND VESSELS**

Boats and vessels.

"No power or motor boats nor hydroplanes or aquaplanes shall be permitted anywhere on said lake except such police or administration motor boats to the number which shall be mutually agreed upon by the parties hereto. Sail boats, row boats and canoes shall be permitted provided they first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt.

<sup>1</sup> So in original.

**"6. FISHING**

"Any person possessing a duly issued fishing license by either state shall be permitted to fish anywhere on the entire lake (except such portion thereof as is closed to fishing by Paragraph 8 hereof or such further portion as may hereafter by regulation be mutually agreed to by the parties hereto) but no fisherman shall be entitled to fish from the shores of the state of which he is a nonresident unless he complies with the nonresident fishing license law of said state.

Fishing.

"In order to permit the fish to fully propagate and develop no part of the lake shall be open for fishing until the first day of July one thousand nine hundred and thirty-seven and thereafter shall be closed in each year between the tenth day of December and the thirtieth day of June.

"Until otherwise mutually agreed to by both parties hereto the creel size and season limits for the respective kinds of fish caught shall be such as may hereafter be agreed upon between the two states.

**"7. RECIPROCAL HUNTING RIGHTS**

"Reciprocal hunting rights are hereby granted to the licensed hunters of each state on the water of that portion of the lake both in Pennsylvania and Ohio over the area bounded on the south by an east and west line crossing the State boundary five-tenth of a mile north of Simons Ohio and on the north by a line drawn between the point at which the Padamaram Road crosses the State boundary and a point formerly known as the Polleck Bridge but such reciprocal hunting rights hereby granted shall extend only to such wild migratory birds as are covered by the Federal Bird Treaty and Federal Laws adopted thereunder.

Reciprocal hunting rights.

"Hunting in such portions of the lake as are not included in the area above described and designated shall be and remain under the jurisdiction of the Commonwealth of Pennsylvania.

"No permanent blinds shall be erected anywhere on the lake and shores thereof but this provision shall not be interpreted as forbidding the use of a boat as a blind temporarily moored to or grounded on the shore of the lake or islands thereof.

**"8. WILD GAME AND FISH SANCTUARIES**

"A. The Game Commission of the State of Pennsylvania having established a wild migratory bird and game sanctuary or refuge in that part of the lake located southeast of the Pennsylvania Railroad Crossing it is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or hunt, trespass or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the Game Laws of the State of Pennsylvania applicable to game refuges.

Wild game and fish sanctuaries.

"B. The Conservation Division of the Department of Agriculture of the State of Ohio having established a fish sanctuary and game refuge in the following portion of the lake.

"Being the southerly parts of Lots Numbers 79 and 80, Richmond Township all of Lot Number 41 and all of Lot Number 42 except the westerly 1000 feet thereof in Andover Township Ashtabula County Ohio.

"Beginning at a point in the west line of Lot Number 79 that is 1523 feet south of the north line of Lot Number 79 also being the center line of Padanaram Road thence southerly along the County Highway along the westerly side of Lot Number 79 1869.5 feet to the north line of Andover Township thence west-

erly along the northerly line of Andover Township 939.7 feet to the northwest corner of Lot Number 41 thence southerly along the highway that marks the westerly line of Lot Number 42 1000 feet to a point thence of Lot Number 42 thence easterly along the north line of Lot Number 42 1000 feet to a point thence in a southerly direction parallel to and 1000 feet easterly from the westerly line of Lot Number 42 2734 feet more or less to the southerly line of Lot Number 42 thence easterly along the said southerly line of Lot Number 42 5180.4 feet to the Ohio and Pennsylvania State line thence northerly along the said Ohio and Pennsylvania State Line 7297.6 feet more or less to a point that is 1523 feet southerly from the north line of Lot Number 80 thence in a westerly direction 1523 feet southerly from and parallel to the north lines of Lots Numbers 79 and 80 5260 feet more or less to the place of beginning.

"It is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or otherwise to fish in hunt trespass or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the laws of the State of Ohio applicable thereto.

"9. RESERVATION OF PENNSYLVANIA'S RIGHT TO THE BODY OF THE WATER

Reservation of Pennsylvania's right to the body of the water.

"It is expressly agreed that nothing herein contained shall operate to deny limit or restrict the right of the Water and Power Resources Board of Pennsylvania or any authority established hereafter by said state to exercise such power to at any time now or hereafter raise or draw off so much of the waters of the lake as in their sole judgment may be necessary to maintain or regulate the flow of the Shenango and Beaver Rivers in furtherance of the primary purpose for which said lake was established and said Water and Power Resources Board shall without let or hindrance have the full right irrespective of other considerations to release so much of the water as they may deem proper to maintain the flow of the Shenango and Beaver Rivers irrespective of its effect on the level of the lake or use thereof for other purposes.

"In witness whereof The parties hereto have hereunto set their respective hands and seals by for and under the authority of their respective states this 28th day of October 1936.

"COMMONWEALTH OF PENNSYLVANIA

"by and through

"WATER AND POWER RESOURCES BOARD

"Witness

"By J. F. BOGARDUS

"Chairman

"CHAS. E. RYDER

"STATE OF OHIO

"by and through

"CONSERVATION DIVISION

"By L. WOODDELL

"Commissioner

"R. P. JOHNSTON

"Approved as to form and manner of execution

"GROVER C. LADNER

"Grover C. Ladner

"Deputy Attorney General

"Commonwealth of Pennsylvania"

and

Whereas the General Assembly of the Commonwealth of Pennsylvania by act approved the 5th day of June 1937 ratified and approved said compact or agreement; and

Whereas the General Assembly of the State of Ohio by act approved the 18th day of May 1937 ratified and approved said compact or agreement: Now, therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the aforesaid compact or agreement be, and the same is hereby, approved pursuant to the provisions of a joint resolution of Congress approved the 8th day of June 1936.

Approved, August 28, 1937.

Compact approved.  
49 Stat. 1490.  
33 U. S. C., Supp.  
II, § 667a.

[CHAPTER 870]

AN ACT

To promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes.

August 28, 1937  
[S. 2863]  
[Public, No. 399]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is hereby recognized that the wastage and inadequate utilization of water resources on farm, grazing, and forest lands in the arid and semiarid areas of the United States resulting from inadequate facilities for water storage and utilization contribute to the destruction of natural resources, injuries to public health and public lands, droughts, periodic floods, crop failures, decline in standards of living, and excessive dependence upon public relief, and thereby menace the national welfare. It is therefore hereby declared to be the policy of Congress to assist in providing facilities for water storage and utilization in the arid and semiarid areas of the United States.

Conservation in  
arid and semiarid  
areas.

Policy declared.

SEC. 2. In order to effectuate this policy and promote proper land use in the said areas, the Secretary of Agriculture is hereby authorized, from time to time—

Powers of Secretary  
of Agriculture.

(1) To formulate and keep current a program of projects for the construction and maintenance in the said areas of ponds, reservoirs, wells, check-dams, pumping installations, and other facilities for water storage or utilization, together with appurtenances to such facilities. The facilities to be included within such program shall be located where they will promote the proper utilization of lands and no such facilities shall be located where they will encourage the cultivation of lands which are submarginal and which should be devoted to other uses in the public interest;

Program of projects  
for water-storage fa-  
cilities.

Location of facilities.

(2) To construct and to sell or lease, with or without a money consideration, under such terms and conditions as will advance the purposes of this Act, the facilities mentioned in section 2 (1) and included within the program there provided for, including the lands upon which such facilities are located if they have been acquired or reserved for the purposes of this Act;

Sale or lease.

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary for the purposes of this Act; and

Cooperation, etc.,  
with agencies, etc.

(4) To obtain options upon and to acquire lands, or rights or interests therein, or rights to the use of water, by purchase, lease, gift, exchange, condemnation, or otherwise, only when necessary for the purposes of this Act.

Acquisition of  
land, interests, etc.

SEC. 3. The facilities included in the program provided for in section 2 (1) may be located—

Location of facilities.

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

Federal, etc., lands.

Other lands with consent.

Conditions requisite.

Local legislation.

Agreements.

Contributions.

Administrative personnel.

Other powers.

Cooperation of governmental agencies.  
Personal services and expenses.

Rules, etc.

Sums authorized.

(b) On any other lands upon obtaining proper consent or the necessary rights or interests in such lands.

SEC. 4. As a condition to extending benefits under this Act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this Act, require—

(1) The enactment of State and local laws providing for soil conserving land uses and practices, and the storage, conservation and equitable utilization of waters;

(2) Agreements or covenants in regard to the maintenance and permanent use of such water, facilities, or lands benefited by such facilities;

(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits.

SEC. 5. The Secretary of Agriculture, in administering the provisions of this Act, shall utilize the officers, employees, and facilities of agencies within the Department of Agriculture whose functions are related to the program provided for in this Act, and may allot to such agencies or transfer to such other agencies of the Federal Government as he may request to assist in carrying out any of the provisions of this Act, any funds available for the purposes of this Act.

SEC. 6. For the purposes of this Act, the Secretary of Agriculture may—

(1) Secure the cooperation of any governmental agency;

(2) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, exchange, operation, and maintenance of passenger-carrying vehicles, for supplies and equipment, for traveling expenses and for other administrative expenses; and

(3) Perform such acts, and prescribe such rules and regulations as he may deem proper to carry out the provisions of this Act.

SEC. 7. There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

Approved, August 28, 1937.

## [CHAPTER 871]

### AN ACT

To amend the Revenue Act of 1926, as amended, to exempt persons traveling between Puerto Rico and the continental United States from the payment of a stamp tax on steamship tickets.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subdivision 5 of schedule A of title VIII of the Revenue Act of 1926, as amended by section 442 (a) of the Revenue Act of May 29, 1928, be, and hereby is, amended by striking out the word "or" before the word "Cuba" and by adding the words "or Puerto Rico" after the word "Cuba".

Approved, August 28, 1937.

August 28, 1937  
[H. R. 1481]  
[Public, No. 400]

Revenue Act of 1926, amendment.  
Tax exemption on steamship tickets to Puerto Rico.  
44 Stat. 103; 45 Stat. 867.  
26 U. S. C. § 905.

## [CHAPTER 872]

## AN ACT

For the relief of former employees of the Federal Subsistence Homesteads Corporations.

August 28, 1937  
[H. R. 3068]  
[Public, No. 401]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the case of any person who was employed by any corporation, all of the stock of which was owned by the Federal Subsistence Homesteads Corporation of Delaware, and who was transferred to a position in the Department of the Interior with the same or substantially similar duties but at an increase in his rate of compensation, if there have been heretofore withheld or deducted from any amounts, otherwise payable to such person out of Government funds, any amount on account of any payment of salary to such person, subsequently disallowed or held to have been illegally made under any decision of the Comptroller General that such transfer to such position in the Department of the Interior constituted an administrative promotion within the provisions of section 7, as amended and extended, of the Treasury-Post Office Appropriation Act, fiscal year 1934, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such person a sum equal to the amount so withheld or deducted.

Federal Subsistence Homesteads Corporation.

Former employees transferred to Interior Department; salary adjustment.

47 Stat. 1515.

Release of liability.

SEC. 2. Each person referred to in section 1, and each disbursing officer who made any payments of salary referred to in such section to any such person, is hereby released from any liability to refund or pay to the Government, or otherwise discharge, any amount on account of any such payment of salary to such person, subsequently disallowed or held to have been illegally made under any decision of the Comptroller General that the transfer of such person to such position in the Department of the Interior constituted an administrative promotion within the provisions of section 7, as amended and extended, of the Treasury-Post Office Appropriation Act, fiscal year 1934, and no deduction shall be made from any amount due or payable out of Government funds to any such person or disbursing officer by reason of any such decision.

Approved, August 28, 1937.

## [CHAPTER 873]

## AN ACT

To make available for national-park purposes certain lands within the area of the proposed Mammoth Cave National Park, Kentucky.

August 28, 1937  
[H. R. 5504]  
[Public, No. 402]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Mammoth Cave National Park as authorized by the Act of May 25, 1926 (44 Stat. 635), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of said Act of May 25, 1926, shall not be construed so as to prohibit the acquisition of lands in said area under funds made available as aforesaid.

Mammoth Cave National Park, Ky.  
Certain lands added.

44 Stat. 635.  
16 U. S. C. § 404.

Acquisition other than by donation.

Exclusion of certain caves authorized.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to exclude the Great Onyx Cave and the Crystal Cave, or either of them, from the maximum boundaries of the said park, and the area required for general development of the said park by section 1 of the Act of May 14, 1934 (48 Stat. 775), is hereby modified accordingly.

48 Stat. 775.  
16 U. S. C. § 404b.

Approved, August 28, 1937.



## [CHAPTER 874]

## AN ACT

Authorizing the establishment of a revolving loan fund for the Klamath Indians, Oregon, and for other purposes.

August 28, 1937  
[H. R. 5976]  
[Public, No. 403]

Klamath Indians,  
Oreg.  
Capital reserve fund  
created out of tribal  
moneys for.

Annual increments.

Interest; use of.

Reimbursable loan  
fund established; use  
of.

Annual additions.

Administration by a  
loan board.

Provisions.  
Sale of pledges.

Operating expenses.

Types of property  
as security.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Indians of the Klamath Reservation in Oregon (hereinafter referred to as the "Klamath Indians") on deposit in the Treasury of the United States, a capital reserve fund for said Klamath Indians. Such fund shall be created by setting aside the sum of \$50,000 for the fiscal year 1937, and shall be augmented by additions of \$50,000 for each fiscal year thereafter. Such fund shall be held in the Treasury of the United States and shall bear interest as provided by law. The interest upon such fund shall be used, insofar as it is sufficient, for the payment of the expenses of administration of the Klamath Indian Reservation in Oregon.

SEC. 2. The Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Klamath Indians on deposit in the Treasury, a reimbursable loan fund from which loans may be made to enrolled Klamath Indians for industrial and agricultural assistance and the construction and improvement of homes (including the purchase of land and interests in land, building material, farming equipment, industrial equipment, trucks, livestock, feed, food, seed, tools, machinery, implements, household goods, bedding, clothing, or any other equipment or supplies necessary to enable such Indians to fit themselves for or to engage in farming, the livestock industry, or such other industrial or agricultural pursuits or avocations as will enable them to become self-supporting); for the educational advancement of such Indians; for financial assistance in cases of illness, death, or other emergency; for the maintenance and support of the aged, infirm, and incapacitated Klamath Indians; and for the repayment of reimbursable loans previously made to such Indians from tribal funds. For the establishment of such loan fund, the Secretary of the Interior shall immediately set aside the unexpended balance of any funds heretofore appropriated or authorized to be used out of the tribal funds of the Klamath Indians for the establishment of reimbursable loan funds for industrial assistance or for any other purpose; and in addition thereto, out of any unobligated tribal funds, \$100,000 shall be set aside for the fiscal year 1938 and \$50,000 for each of the next three fiscal years.

SEC. 3. The reimbursable loan fund provided for in section 2 hereof shall be administered, under and subject to such rules and regulations as the Secretary of the Interior may prescribe, by a loan board composed of Klamath Indians of not to exceed five members: *Provided*, That in the event any property pledged as security is offered for sale to satisfy any obligation, the Klamath Indians shall have preferential right, except there shall be no discrimination as to terms of sale, to purchase the same: *Provided further*, That the expenses of administering such fund, including such per diem for members of the loan board as may be authorized by the Secretary of the Interior, shall be paid from such loan fund. After the fiscal year 1939 the aforesaid expenses of administration shall not exceed the amount received from service fees, surcharges, and interest paid in on loans.

SEC. 4. For the purpose of providing adequate security for any loans made from the revolving reimbursable loan fund provided for

in section 2 hereof, the Klamath Indians are hereby authorized to include in the securities offered therefor, in addition to any unrestricted real or personal property owned by them, any lands, interest in lands, rights, funds, future per-capita payments and other distributions of tribal assets, and other property, real, personal, or mixed, of any nature whatsoever, belonging to individual Klamath Indians, heretofore regarded or classed as trust or restricted Indian property.

SEC. 5. All repayments made upon any loans made from the reimbursable loan fund herein provided for, all repayments made upon any loans made from reimbursable loan funds for industrial assistance or for other purposes heretofore established out of Klamath tribal funds, and all interest, surcharges, and service fees paid upon any such loans, shall be credited to the reimbursable loan fund herein provided for and shall become available for the purposes herein authorized.

Credit of repayments.

SEC. 6. The amounts which the Secretary of the Interior shall cause to be added to the capital and loan funds established at his direction under the provisions of sections 1 and 2 of this Act during each fiscal year shall not exceed the amount of unobligated Klamath tribal funds on deposit in the Treasury of the United States available for that purpose.

Limitation.

Approved, August 28, 1937.

#### [CHAPTER 875]

#### AN ACT

Making further provision with respect to the funds of the Metlakahtla Indians of Alaska.

August 28, 1937  
[H. R. 8042]

[Public, No. 404]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That revenue derived from leases or other contracts negotiated by the Secretary of the Interior for the benefit of the Metlakahtla Indians and such other persons occupying the Annette Islands Reserve, Alaska, as come within the purview of the Act of March 3, 1891 (26 Stat. 1101), shall be deposited into the Treasury as trust funds pursuant to the provisions of section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1224), shall bear interest at the rate of 4 per centum per annum, and shall be subject to expenditure under such rules and regulations as the said Secretary may prescribe.

Metlakahtla Indians of Alaska.  
Deposit of certain revenues as trust funds, authorized.

26 Stat. 1101.

48 Stat. 1224.  
31 U. S. C. § 725c.  
Interest.

SEC. 2. There shall be credited to the trust-fund account so established the excess, if any, of (1) the unexpended balance of the repealed special fund appropriation "58740 Annette Islands Reserve, Alaska, fund from leases" and (2) the amount of receipts derived from the Annette Islands Reserve, Alaska, covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934, over expenditures from appropriations provided for "Expenses, Annette Islands Reserve, Alaska (Receipt Limitation)", and the amount so credited shall be subject to expenditure as prescribed in section 1 hereof.

Credit of designated funds to trust fund account.

Expenditure.

SEC. 3. Interest accruing on said trust-fund account shall be available for the same purposes as the principal.

Interest.

Approved, August 28, 1937.

## [CHAPTER 876]

## AN ACT

Relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

August 28, 1937

[H. R. 7618]

[Public, No. 405]

Revested Oregon-California Railroad, etc., grant lands. 39 Stat. 218; 40 Stat. 1179.

Conservation management of timberlands, etc., under Federal jurisdiction.

*Proviso.*  
Power sites.

Annual cut pending determination of productive capacity.

*Proviso.*  
Sales.

Forest units.

*Proviso.*  
Hearings before establishment of boundaries.

Sales limited to productive capacity.

Cooperative agreements.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal<sup>1</sup> of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities<sup>1</sup>: *Provided*, That nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law.

The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut therefrom shall not exceed one-half billion feet board measure: *Provided*, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield: *Provided*, That before the boundary lines of such forest units are established, the Department, after published notice thereof, shall hold a hearing thereon in the vicinity of such lands open to the attendance of State and local officers, representatives of dependent industries, residents, and other persons interested in the use of such lands. Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion, to reject any bids which may interfere with the sustained-yield management plan of any unit.

SEC. 2. The Secretary of the Interior is authorized, in his discretion, to make cooperative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration, with respect to time, rate, method of cutting, and sustained yield, of forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes hereinbefore mentioned.

<sup>1</sup> So in original.

SEC. 3. The Secretary of the Interior is authorized to classify, either on application or otherwise, and restore to homestead entry, or purchase under the provisions of section 14 of the Act of June 28, 1934 (48 Stat. 1269), any of such revested or reconveyed land which, in his judgment, is more suitable for agricultural use than for afforestation, reforestation, stream-flow protection, recreation, or other public purposes.

Classification, etc., of lands suitable for agricultural purposes.  
48 Stat. 1274.  
43 U. S. C. § 1171.

Any of said lands heretofore classified as agricultural may be reclassified as timber lands, if found, upon examination, to be more suitable for the production of trees than agricultural use, such reclassified timber lands to be managed for permanent forest production as herein provided.

Reclassification of, as timber lands.

SEC. 4. The Secretary of the Interior is authorized, in his discretion, to lease for grazing any of said revested or reconveyed lands which may be so used without interfering with the production of timber or other purposes of this Act as stated in section 1: *Provided*, That all the moneys received on account of grazing leases shall be covered either into the "Oregon and California land-grant fund" or the "Coos Bay Wagon Road grant fund" in the Treasury as the location of the leased lands shall determine, and be subject to distribution as other moneys in such funds: *Provided further*, That the Secretary is also authorized to formulate rules and regulations for the use, protection, improvement, and rehabilitation of such grazing lands.

Leasing for grazing.

*Proviso.*  
Use of receipts.

Rules and regulations.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. The Secretary of the Interior is further authorized, in formulating forest-practice rules and regulations, to consult with the Oregon State Board of Forestry, representatives of timber owners and operators on or contiguous to said revested and reconveyed lands, and other persons or agencies interested in the use of such lands.

Secretary of the Interior; powers and duties.

Consultation with Oregon State Board of Forestry.

In formulating regulations for the protection of such timberlands against fire, the Secretary is authorized, in his discretion, to consult and advise with Federal, State, and county agencies engaged in forest-fire-protection work, and to make agreements with such agencies for the cooperative administration of fire regulations therein: *Provided*, That rules and regulations for the protection of the revested lands from fire shall conform with the requirements and practices of the State of Oregon insofar as the same are consistent with the interests of the United States.

With other agencies.

*Proviso.*  
Fire protection provisions.

## TITLE II

Title II.

That on and after March 1, 1938, all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

Oregon and California land-grant fund.

(a) Fifty per centum to the counties in which the lands revested under the Act of June 9, 1916 (39 Stat. 218), are situated, to be payable on or after June 30, 1938, and each year thereafter to each of said counties in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said lands in the State of Oregon for said year, such moneys to be used as other county funds.

Payments to counties.  
39 Stat. 218.

Money in lieu of  
accrued taxes.  
44 Stat. 915.

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to March 1, 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the Interior, until such tax indebtedness as shall have accrued prior to March 1, 1938, is extinguished.

Amount to satisfy  
reimbursable charges  
against fund.

From and after payment of the above accrued taxes said 25 per centum shall be accredited annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid: *Provided*, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency. When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

*Proviso.*  
Paying deficiencies  
in county payments.  
44 Stat. 915.

Payments to coun-  
ties after charges re-  
imbursed.

Amount for admin-  
istrative purposes; ex-  
cess covered in.

*Proviso.*  
Use of moneys cov-  
ered in.

Conflicting laws re-  
pealed.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States: *Provided*, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

Approved, August 28, 1937.

#### [CHAPTER 877]

#### AN ACT

August 28, 1937

[H. R. 7646]

[Public, No. 406]

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

Flood Control Act  
of 1936, amendments.  
49 Stat. 1586.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows under the heading "Ohio River Basin" in section 5:

Ohio River Basin.  
Levees, floodwalls,  
and drainage struc-  
tures.

"Levees, floodwalls, and drainage structures: Construction of levees, floodwalls, and drainage structures for the protection of cities and towns in the Ohio River Basin, the projects to be selected by the Chief of Engineers with the approval of the Secretary of War, in accordance with the report of the Chief of Engineers in House Committee on Flood Control Document Numbered 1, Seventy-fifth Con-

gress, first session, at a cost not to exceed \$24,877,000 for construction which is hereby authorized to be appropriated for this purpose: *Provided*, That the protection for Pittsburgh, Pennsylvania, is to be interpreted as applying to the metropolitan district of Pittsburgh: *Provided further*, That the local cooperation required by section 3 is complied with: *Provided further*, That if, after investigation, the President finds that any city or town is, by reason of its financial condition, unable to comply with the requirements of section 3 as to local cooperation, he is hereby authorized to waive such requirements on any individual project not to exceed 50 per centum of the estimated costs of the lands, easements, and rights-of-way: *Provided further*, That any funds appropriated for the fiscal year 1938 to carry out the provisions of the Flood Control Act of June 22, 1936, may be used for plant, material, supervisory, and skilled services necessary in the execution of the projects authorized herein, with relief labor furnished under the provisions of the Emergency Relief Appropriation Act of 1937.

SEC. 2. That the Secretary of War is hereby authorized to approve the expenditure of not to exceed \$300,000 per year, from any appropriations heretofore or hereafter made for flood control, in removing accumulated snags and other debris and clearing of channels in navigable streams and tributaries thereof when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$25,000 shall be expended for this purpose on any single stream in any one year.

SEC. 3. That, in order to further the declaration of policy and principles declared in sections 1 and 2 of the Flood Control Act approved June 22, 1936, and to supplement the preliminary examinations and surveys which the Secretary of War has heretofore been authorized and directed to make of waterways with a view to the control of their floods, the Secretary of Agriculture be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for run-off and water-flow retardation and soil-erosion prevention on the watersheds of said waterways, the costs thereof to be paid from appropriations heretofore or hereafter made for such purposes.

SEC. 4. That section 8 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the following subsection (d):

"As a condition to the extending of any benefits, in prosecuting measures for run-off and water-flow retardation and soil erosion prevention authorized by Act of Congress pursuant to the policy declared in this Act, to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of such Acts, require—

"(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for run-off and water-flow retardation and soil-erosion prevention;

"(2) Agreements or covenants as to the permanent use of such lands; and

"(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits."

SEC. 5. That section 6 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby

*Proviso.*  
Pittsburgh interpreted as metropolitan district.  
Local cooperation requirement.  
Waiver, if unable to comply.

Use of relief labor.

*Ante*, p. 352.

Removal of debris, etc.

*Proviso.*  
Restriction.

Surveys for soil-erosion prevention, etc., authorized.  
49 Stat. 1570.

State, etc., cooperation.  
49 Stat. 1571.

Conditions to extension of benefits.

Local restrictions for prevention of erosion, etc.

Agreements as to permanent use of lands.

Contributions to operations.

Preliminary flood-control examinations; additions.  
49 Stat. 1592.

Preliminary flood-control examinations; additions—Contd.

amended by adding to the list of localities at which preliminary examinations and surveys are authorized to be made the following names:

- "Connecticut and Chicopee Rivers.
- "Pawtuxet River, Rhode Island.
- "Conewango Creek and Davis Brook in Chautauqua County and Cattaraugus County, New York.
- "Battenkill, New York.
- "Mettawee River, New York.
- "Ilion, Steel Creek, New York.
- "Delaware River.
- "Youghiogheny River watershed above Dawson, Pennsylvania.
- "North Branch of Potomac River and its tributaries in the vicinity of Keyser, West Virginia.
- "Kissimmee River Valley and its tributaries, Florida.
- "Estero River, Imperial River, Corkscrew River (Horse Creek), Gordon River, Rock Creek, Hendry Creek, Mulock Creek, and Six Mile Cypress Slough, all in Florida.
- "Quiver River, Mississippi.
- "Sunflower River, Mississippi.
- "Clarksville, Memphis, and Nashville, Tennessee, with a view to submitting comprehensive plans for flood protection to Congress.
- "Dugdemonia Bayou, Louisiana.
- "Boeuf River, Catahoula, Franklin, Caldwell, Richland, West Carroll, and Morehouse Parishes, Louisiana.
- "Bayou Macon, Franklin, Madison, Richland, East Carroll, and West Carroll Parishes, Louisiana.
- "Ouachita River and tributaries, Louisiana.
- "San Jacinto River, and its tributaries, in Montgomery, Walker, San Jacinto, Grimes, Waller, Liberty, and Harris Counties, Texas.
- "Brazos River and its tributaries, Texas.
- "Saline River, Arkansas.
- "The Narrows' on Fourche La Fave River in Scott County, Arkansas.
- "Walnut Bayou in Little River County, Arkansas.
- "Illinois Bayou, Pope County, Arkansas.
- "Big Piney Creek in Pope and Johnson Counties, Arkansas.
- "Fourche La Fave River, in Perry, Yell, and Scott Counties, Arkansas.
- "Palarm Creek, a tributary of the Arkansas River, in Faulkner and Pulaski Counties, Arkansas.
- "Bayou Meto Basin, a tributary of the Arkansas River in the State of Arkansas.
- "Sulphur River, Arkansas.
- "Poteau River, Arkansas.
- "Grand (Neosho) River and its tributaries, Oklahoma, Kansas, Missouri, and Arkansas.
- "Platte River in the vicinity of Schuyler, Nebraska.
- "Little Osage River, Kansas.
- "Yellowstone River, Montana.
- "Arkansas River in Sequoyah and Haskell Counties, Oklahoma.
- "Sans Bois Creek in Haskell and Latimer Counties, Oklahoma.
- "North Canadian River, Oklahoma and Texas.
- "South Canadian River, Oklahoma.
- "Cimarron River, Oklahoma and Kansas.
- "Beaver River, Oklahoma.
- "Washita River, Oklahoma.
- "Fountaine Que Bouille (Fountain) River and its tributaries, Colorado.

- "Cherry Creek and its tributaries, Colorado.
- "Mississippi River and tributaries in Memphis and Shelby County, Tennessee.
- "Wyaconda River in Clark and Lewis Counties, Missouri.
- "South Fabius River in northeast Missouri.
- "Chariton River in Schuyler County, Missouri.
- "Galena River (Fever River) in Illinois and Wisconsin.
- "Floyd River, Iowa.
- "Little Sioux River, Iowa.
- "Cedar River, Iowa.
- "Chariton River, Iowa.
- "Iowa River, Iowa.
- "Boyer River, Iowa.
- "Turkey River, Iowa.
- "Nishnabotna River, Iowa.
- "Bureau Creek and tributaries, Illinois.
- "Illinois River and the Fox River at Ottawa, Illinois.
- "Mackinaw River, Illinois.
- "Kickapoo River, Wisconsin.
- "Gilmore Creek, Winona County, Minnesota.
- "Root River, Fillmore, Mower, Olmsted, Winona, and Houston Counties, Minnesota.
- "Zumbro River and the Whitewater River in southeastern Minnesota.
- "White River, South Dakota.
- "Keyapaha River, South Dakota.
- "Bad River from Philip to Fort Pierre, South Dakota.
- "Flathead River and tributaries in Flathead County, Montana.
- "Kiskiminitas River, Pennsylvania.
- "Kiskiminitas and Conemaugh Rivers and their tributaries, Pennsylvania.
- "Tygart River and tributaries in the vicinity of Elkins, West Virginia.
- "Buckhannon River and Middle Fork River and their tributaries in the vicinity of Buckhannon, West Virginia.
- "Cumberland River and its tributaries in the vicinity of Nashville, Tennessee.
- "Cumberland River and its tributaries in the vicinity of Clarksville, Tennessee.
- "Girtys Run, in Allegheny County, Pennsylvania.
- "Clinton River, Michigan.
- "Scioto and Sandusky Rivers and their tributaries, Ohio.
- "Mill Creek Valley in Cincinnati, Ohio.
- "Bill Williams River, Arizona.
- "Big Sandy River, in Arizona, from the junction of Trout Creek and Knight Creek on the north to the Bill Williams River on the south.
- "Gila River, in Arizona, from Gillespie Dam downstream to a point near Wellton.
- "Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona.
- "Santa Ana River and tributaries, California.
- "Santa Ana River and Banning Canyon in counties of San Bernardino and Riverside, California.
- "Mojave River, in the county of San Bernardino, California.
- "Lytle Creek, Waterman Canyon, in the county of San Bernardino, California.
- "San Jacinto River and Bautiste Creek in the county of Riverside, California.



Preliminary flood-control examinations; additions—Contd.

"Santa Clara River, California.

"Salinas River, California.

"Cucamonga Creek, Deer Creek, San Antonio Creek, and Chino Creek, California.

"Arroyo Grande Creek in the county of San Luis Obispo, California.

"Whitewater River, California.

"Alameda and San Lorenzo Creeks and their tributaries, California.

"Pajaro River, California.

"Russian River, California.

"Santa Maria River, California.

"Ventura River, Ventura County, California.

"Willow Creek, Oregon.

"Nestucca River and its tributaries, Oregon.

"Chetco River and tributaries, Oregon.

"Smith River and tributaries, Oregon.

"Alsea River and tributaries, Oregon.

"Clatskanie River and tributaries, Oregon.

"Sandy River and tributaries, Oregon.

"Deschutes River and tributaries, Oregon.

"Klamath River and tributaries, Oregon.

"Malheur River and tributaries, Oregon.

"Owyhee River and tributaries, Oregon.

"Burnt River and tributaries, Oregon.

"Powder River and tributaries, Oregon.

"Grande Ronde River and tributaries, Oregon.

"Whatcom Creek at Bellingham, Washington.

"North and South Forks of the Skagit River from Mount Vernon to Skagit Bay, Washington.

"Lowell Creek, Alaska.

"Skagway River in the vicinity of Skagway, Alaska."

Yazoo River project, modification.  
49 Stat. 1509.

Provisos.  
Cost not to exceed authorization.

Conditions of local cooperation specified.

SEC. 6. That the Chief of Engineers may, in his discretion, modify the project for the control of floods on the Yazoo River, as authorized by Public Act Numbered 678, approved June 15, 1936, to substitute therefor a combined reservoir floodway and levee plan: *Provided*, That the total cost thereof does not exceed the present authorization as estimated in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session: *Provided further*, That the modified project shall be subject to the following conditions of local cooperation:

No work shall be undertaken until the States or other qualified agencies have furnished satisfactory assurances that they will—

(a) undertake, without cost to the United States, all alterations of highways made necessary because of the construction of reservoirs and meet all damages because of such highway alterations; and

(b) furnish, without cost to the United States, all lands and easements necessary to the construction of levees and drainage ditches.

Bank protection, etc.  
Willamette River; tributaries added.  
49 Stat. 1591.

SEC. 7. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the words "and tributaries," after the words "Willamette River," in the paragraph entitled "WILLAMETTE RIVER".

Johnstown, Pa., flood protection.  
49 Stat. 1570.  
Act, p. 96.

SEC. 8. That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, as amended by Act of Congress approved April 27, 1937, is hereby further amended to provide that, if, in the execution of the project for a reservoir system for the protection of Pittsburgh, it is found that geological and engineering conditions make it impracticable to construct a reservoir to

provide protection for the city of Johnstown, Pennsylvania, flood protection shall be provided for said city by channel enlargement or other works: *Provided*, That the total estimated construction cost of the entire project shall not be increased.

SEC. 9. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows, under the heading "Mississippi River":

"Memphis, Tennessee: The construction of floodwalls, levees, and revetments along Wolf River and Nonconnah Creek for the protection of Memphis, Tennessee, in accordance with the report on record in the office of the Chief of Engineers. Estimated construction cost, \$9,000,000. Estimated cost of lands and damages, \$4,324,000."

Approved, August 28, 1937.

*Proviso.*  
Cost limitation.

Mississippi River.  
49 Stat. 1575.

Memphis, Tenn.,  
flood protection.

## [CHAPTER 878]

### AN ACT

To extend the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico.

August 28, 1937  
[H. R. 7908]  
[Public, No. 407]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of section 21 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935, and known as the Bankhead-Jones Act, be, and the same are hereby, extended to Puerto Rico in such amounts as are hereinafter authorized without diminution of the amounts authorized for payment to the States and the Territory of Hawaii, as provided in section 21 of that Act.

Puerto Rico.  
Cooperative State  
agricultural extension  
work extended to.  
49 Stat. 438.  
7 U. S. C., Supp.  
II, § 343c.

SEC. 2. To carry into effect the above provisions for extending to Puerto Rico, to the extent herein provided, the benefits of the said Bankhead-Jones Act, the following sums are hereby authorized to be appropriated: For the fiscal year beginning after the date of the enactment of this Act, \$88,000; for the fiscal year following the first fiscal year for which an appropriation is made in pursuance of the foregoing authorization, the additional sum of \$40,000; and for each succeeding fiscal year thereafter an additional sum of \$40,000 until the total appropriations authorized by this section shall amount to \$408,000 annually, the authorization to continue in that amount for each succeeding fiscal year.

Amounts authorized.

Approved, August 28, 1937.

## [CHAPTER 888]

### AN ACT

To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes.

August 30, 1937  
[S. 2026]  
[Public, No. 408]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tennessee, are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Fort Donelson National Military Park,  
Tenn.  
Certain lands added.

Tract numbered 1, a right-of-way, fifty feet wide, lying twenty-five feet on each side of a center line, beginning at a point in the southerly

Description.

boundary line of lock D reservation, seven hundred and thirty-four and eight-tenths feet from the southwest corner of this reservation; thence south thirty-one degrees five minutes west seventy-seven and one-tenth feet, thence south eighty-six degrees twenty-one minutes west four hundred and seventy-nine and nine-tenths feet, thence south sixty-three degrees fifty-three minutes west two hundred and sixty-two and three-tenths feet, thence south thirty-nine degrees thirty-six minutes west one hundred and eighty-six and seven-tenths feet, thence south exactly forty minutes east exactly one hundred and ninety-four feet, thence south thirty degrees fifty-eight minutes east three hundred and fourteen and five-tenths feet, thence south twenty-eight degrees fifteen minutes east exactly eighty-five feet, thence south twenty-eight degrees thirty-seven minutes east two hundred and fifty and five-tenths feet, thence south four degrees six minutes east two hundred and sixty-one and seven-tenths feet, thence south thirty-six degrees twenty-seven minutes east two hundred and eighty-two and three-tenths feet, thence south twenty-three degrees forty-five minutes east one hundred and seventy-eight and three-tenths feet to center line of county road, reserving, however, to the War Department the right to the continued use of the road over this tract as a means of access to lock D.

Tract numbered 2, beginning at a point in the southern boundary line of lock D reservation, seven hundred and fifty-three and five-tenths feet from the southwest corner of this reservation, thence north seventy-four degrees twenty-eight minutes east one hundred and ninety-one and ninety-eight one-hundredths feet, thence south eighty-five degrees twelve minutes east fifty-two and nine-tenths feet, thence south fifty-one degrees thirty-six minutes east thirty-two and nine-tenths feet, thence south nine degrees thirty-three minutes east one hundred and seventeen and two one-hundredths feet, thence south thirty-one degrees three minutes west sixty-nine and eighty-two one-hundredths feet, thence north fifty-eight degrees fifty-seven minutes west two hundred and eighty-eight and eight one-hundredths feet to beginning.

Tract numbered 3, beginning at a point in the southern boundary line of lock D reservation, five hundred and ninety feet from the southwest corner of this reservation, this point being marked by an iron fence post, thence north fifty-eight degrees fifty-seven minutes west five hundred and ninety feet along the southern boundary line of lock D reservation, thence north thirty-one degrees three minutes east four hundred and eighty-eight feet along the western boundary line of the lock D reservation to low-water mark on bank of Cumberland River, thence along low-water line of Cumberland River in a southeasterly direction three hundred and thirty-five feet, thence south thirty-four degrees five minutes west one hundred and twenty-three feet to an iron pin, thence south fifty-five degrees fifty-five minutes east three hundred and seven and five-tenths feet to an iron pin, thence south forty degrees five minutes west three hundred and ten and five-tenths feet to beginning.

Acceptance of donations, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within a distance of one mile from the boundaries of said Fort Donelson National Military Park, as hereby extended, and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation, such tracts of land within a distance of one mile from the boundaries of the said national military park as may be necessary for the completion thereof. Upon

*Proviso.*  
Acquisition of land.

the acquisition of such land, the same shall become a part of the Fort Donelson National Military Park and shall be subject to the laws and rules and regulations applicable to said park.

SEC. 3. The administration, protection, and development of the lands hereby authorized to be added to the Fort Donelson National Military Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Approved, August 30, 1937.

Administration, etc.

39 Stat. 535.  
16 U. S. C. § 1.

[CHAPTER 889]

AN ACT

To provide for the taking of a census of partial employment, unemployment, and occupations, and for other purposes.

August 30, 1937  
[S. 2705]

[Public, No. 409]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to provide information concerning the numbers, classes, and geographical distribution of persons in the United States partially employed and unemployed and their dependents and income, and concerning industries and occupations of partially employed and unemployed persons to aid in the formulation of a program for reemployment, social security, and unemployment relief for the people of the United States, the President shall cause to be taken on or before April 1, 1938, a census of partial and total unemployment, and occupations, and including such other related information as shall be deemed in the public interest in the forty-eight States and the District of Columbia and the Territories of Hawaii and Alaska.

Unemployment,  
etc., census.  
Taking of, directed  
on or before April 1,  
1938.

(a) The questions to be included in this census and the detailed information to be enumerated shall be determined upon by a committee consisting of the Secretary of Commerce, the Secretary of Labor, the Works Progress Administrator, the Chairman of the Social Security Board, the Chairman of the Central Statistical Board, and the Director of the Census, or their authorized representatives.

Questions to be in-  
cluded.  
Determination by  
committee.

SEC. 2. The provisions, including penalties, of the Act approved June 18, 1929 (46 Stat. 21; U. S. C., Supp. VII, title 18, ch. 4), except sections 9 to 11, inclusive, thereof, shall, so far as not inapplicable, apply to the taking of the census provided for in section 1 of this Act: *Provided, however,* That temporary personnel required to carry out the purposes of this Act shall be appointed without regard to the Classification Act of 1923: *Provided further,* That the administering agency is authorized to call upon the other departments or agencies of the Federal Government for information relating to, and for assistance in connection with the census herein provided for; and the administering agency is authorized to cooperate with and to use the information secured by such State and local agencies as may have data pertinent to this census.

Provisions of exist-  
ing law to govern  
taking.  
46 Stat. 21.  
18 U. S. C., ch. 4.

*Proviso.*  
Temporary person-  
nel.

Assistance by Fed-  
eral agencies.

SEC. 3. To meet the expenses of this Act the Secretary of the Treasury is authorized to make available from the Emergency Relief Appropriation Act of 1937 such an amount as the President may determine to be necessary.

Funds for expenses.  
*Ante*, p. 552.

SEC. 4. The President is authorized to make such rules and regulations as are necessary to carry out the provisions of this Act and such provisions of the Census Act of 1902, as amended, as are applicable.

Rules and existing  
provisions.  
32 Stat. 51.  
13 U. S. C. § 1.

Approved, August 30, 1937.

## [CHAPTER 890]

## AN ACT

Relating to certain lands within the boundaries of the Crow Reservation, Montana.

August 31, 1937  
[H. R. 7649]  
[Public, No. 410]

Crow Indian Reser-  
vation, Mont.  
Certain land elimi-  
nated from.  
Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of that area within the Crow Indian Reservation, Montana, described as: "Beginning at the northwest corner of lot eleven, section 3; thence east along the north boundary line of the Crow Indian Reservation to the west meander line of the Big Horn River; thence south-easterly along the west meander line of the said Big Horn River to its intersection with the north and south center line of section twelve; thence south along the said center line of sections twelve and thirteen to the center of section thirteen; thence west to the north-west corner of the northeast quarter of the southwest quarter of said section thirteen; thence south to the southeast corner of the north-west quarter of the northwest quarter of section twenty-five; thence west to the northwest corner of lot two, section twenty-seven; thence north along the boundary line of the Crow Indian Reservation to the point of beginning, all in township 1 south, range 33 east, principal meridian, Montana, be, and the same is hereby, eliminated and excluded from the Crow Indian Reservation in the State of Montana.

Indian liquor laws  
not affected.

29 Stat. 506.  
25 U. S. C. § 241.  
Conflicting laws re-  
pealed.

SEC. 2. Nothing contained in this Act shall be construed to discontinue or repeal the provisions of the Indian liquor laws which prohibit the sale, gift, barter, exchange, or other disposition of beer, wine, and other liquors to Indians of the classes set forth in the Act of January 30, 1897 (29 Stat. L. 506; U. S. C., title 25, sec. 241).

SEC. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved, August 31, 1937.

## [CHAPTER 891]

## JOINT RESOLUTION

To permit the States of Maryland, Virginia, West Virginia, Pennsylvania, and the District of Columbia to enter into a compact or agreement respecting the creation of a Potomac Valley conservancy district for the prevention or abatement of harmful pollution of the waters thereof.

August 31, 1937  
[S. J. Res. 162]  
[Pub. Res., No. 74]

Potomac Valley  
conservancy district.  
Consent given to  
certain States to enter  
into a compact re-  
specting creation of.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby given to the States of Maryland, Virginia, West Virginia, Pennsylvania, and the District of Columbia to negotiate and enter into a compact or agreement providing for the creation of a conservancy district to consist of the drainage area of the Potomac River and the main and tributary streams therein, said district to be organized and maintained for the purpose of regulating, controlling, preventing, or otherwise rendering unobjectionable and harmless the pollution of the waters of said Potomac drainage area by sewage and industrial and other wastes, upon conditions that a suitable person shall be appointed by the President of the United States from the Department of the Treasury who shall participate in said negotiation as representative of the United States, and shall make a report to Congress of the proceedings of any compact or agreement entered thereto: *Provided,* That any such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States.

*Proviso.*  
Approval required.

Approved, August 31, 1937.

## [CHAPTER 895]

## AN ACT

Authorizing the conservation, production, exploitation, and sale of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, authorizing the acquisition, by purchase or otherwise, by the United States of properties for the production of helium gas, and for other purposes.

September 1, 1937  
[S. 1567]  
[Public, No. 411]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes", approved March 3, 1925, as amended, is amended to read as follows:

Helium gas.  
43 Stat. 1110.  
50 U. S. C. §§ 161-166.

"SECTION 1. That for the purpose of conserving, producing, and selling helium gas the Secretary of the Interior, through the Bureau of Mines is authorized:

Powers of Secretary of the Interior.

"(a) To acquire by purchase, lease, or condemnation, lands or interests therein or options thereon, including but not limited to sites, rights-of-way, and oil or gas leases containing obligations to pay rental in advance or damages arising out of the use and operation of such properties; but such lands or interests in lands may be acquired by condemnation only when necessary for the production or conservation of helium to meet the needs of the Army and Navy and other agencies of the Federal Government;

Acquisition of lands or interests, etc.

"(b) To make contracts and agreements (with optional provisions where necessary) for the acquisition, processing, or conservation of helium-bearing gas;

Contracts and agreements.

"(c) To construct or acquire plants, wells, pipe lines, compressor stations, camp buildings, and other facilities, for the production, storage, repurification, transportation, and sale of helium and helium-bearing gas; and to acquire patents or rights therein and reports of experimentation and research used in connection with the properties acquired or useful in the Government's helium operations;

Construction, etc., of plants and other facilities for production of.

Patents, reports, etc.

"(d) To dispose by lease or sale of wells, lands, or interests therein, not valuable for helium production; to dispose of oil, gas, and byproducts of helium operations not needed for Government use; and to issue leases to the surface of lands or structures thereon for grazing or other purposes when the same may be done without interfering with the production of helium.

Disposal of wells, etc.  
Oil, gas, and byproducts not needed.

Surface leases for grazing.

"The Secretary of the Interior is hereby directed, if possible under the terms hereof, to acquire by purchase all properties developed or constructed by private parties prior to the passage of this Act for helium production, such purchase to be at a price or prices recommended to be fair and reasonable by at least two of a board of three appraisers, the members of which shall be selected as follows: One by the Secretary of the Interior, one by the owner of the properties sought to be acquired, and one by the two appraisers so selected. The Secretary of the Interior is authorized to incur obligations and enter into agreements for the purchase of such properties, and every such agreement shall be deemed a contractual obligation of the Government for the payment of the cost thereof, such payment to be made from any appropriations hereafter made for such purpose. Prior to the date of execution of an agreement or agreements for the purchase of such properties, the Government shall not sell helium as authorized in section 3 (b) of this Act: *Provided*, That the foregoing restriction upon the sale of helium by the Government shall be inoperative in the event that (1) the owner of any such properties shall refuse or neglect to appoint an appraiser within thirty days after

Acquisition of existing private-production properties.

Price.

Obligations and agreements.

Sale prior to agreement, restriction.

*Proviso.*  
Refusal or failure of owner to appoint appraiser.

Refusal to execute  
sale agreement.

Reservation of  
known helium-bearing  
land not covered  
by leases.  
41 Stat. 437.

*Proviso.*  
Extraction provi-  
sions.

Maintenance and  
operation of plants.

Experimentation  
and research.

Requisition of he-  
lium by Army and  
Navy, etc.

Production and sale.

Inflation of airships.

*Provisos.*  
Restrictions.

Price determination.

Sale for medicinal  
purposes.

Repurchase.

approval of this amendatory Act, or (2) the owner of any such properties having so appointed an appraiser shall refuse or neglect to execute an agreement or agreements for the sale thereof, at the price recommended by at least two members of the board of appraisers, within thirty days after said appraisers shall have recommended such price.

"Any known helium-gas-bearing land on the public domain not covered at the time by leases or permits under the Act of February 25, 1920, entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain', as amended, may be reserved for the purposes of this Act, and the United States reserves the ownership and the right to extract, under such rules and regulations as shall be prescribed by the Secretary of the Interior, helium from all gas produced from lands so permitted, leased, or otherwise granted for development: *Provided*, That in the extraction of helium from gas produced from such lands, it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof.

"SEC. 2. That the Bureau of Mines, acting under the direction of the Secretary of the Interior, is authorized to maintain and operate helium production and repurification plants together with facilities and accessories thereto; to store and care for helium, to conduct exploration for and production of helium on and from the lands acquired, leased, or reserved; and to conduct experimentation and research for the purpose of discovering helium supplies and improving processes and methods of helium production, repurification, storage, and utilization.

"SEC. 3. (a) That the Army and Navy and other agencies of the Federal Government may requisition helium from the Bureau of Mines and make payments therefor from any applicable appropriations by advancing or repaying to and for the use of said Bureau proportionate shares of the expenses incident to the administration, operation, and maintenance of the Government's helium plants and properties.

"(b) That helium not needed for Government use may be produced and sold upon payment in advance in quantities and under regulations approved by the President, for medical, scientific, and commercial use, except that helium may be sold for the inflation of only such airships as operate in or between the United States and its Territories and possessions, or between the United States or its territories and possessions and foreign countries: *Provided*, That no helium shall be sold for the inflation of any airship operating between two foreign countries notwithstanding such airship may also touch at some point in the United States: *Provided further*, That such sales of helium shall be at reasonable prices (established by said regulations) based upon the cost of acquiring, developing, maintaining, and operating the Government properties and the payment of interest at a rate of not less than 3½ per centum per annum on capital hereafter expended (except from the special fund established in subsection (c) of section 3 of this Act) for properties, facilities, and helium-bearing gas lands, as are used for such helium production: *Provided further*, That notwithstanding the foregoing provision helium shall be sold for medicinal purposes at prices which will permit its general use therefor; and such sales of helium shall be upon condition that the Federal Government shall have a right to repurchase helium so sold that has not been lost or dissipated, when needed for Government use, under terms and at prices established by said regulations.

"(c) All moneys received under this Act, including moneys from sale of helium or other products resulting from helium operations (except moneys received in payment for helium from Government departments or agencies under subsection (a) hereof), shall be credited to a special helium-production fund from which purchasers of helium may be reimbursed for payments for helium in excess of deliveries, and the Secretary of the Interior through the Bureau of Mines may draw on said fund to pay expenses of acquiring, administering, operating, maintaining, and developing helium properties. Amounts accumulating in said fund in excess of amounts the Secretary of the Interior deems necessary to assure payment of such expenses shall be deposited in the Treasury to the credit of miscellaneous receipts: *Provided*, That the Secretary of the Interior shall render to Congress on or before the 1st day of January of each year a report showing the amount of moneys credited to such helium-production fund and the amount of disbursements made therefrom during the preceding fiscal year, and the unexpended and unobligated balances on hand in such fund as of the end of such fiscal year.

"SEC. 4. No helium gas shall be exported from the United States, or from its Territories and possessions, until after application has been made to the Secretary of State and a license authorizing said exportation has been obtained from him on the joint recommendation of all of the members of the National Munitions Control Board and the Secretary of the Interior: *Provided*, That under regulations governing exportation of helium approved by the National Munitions Control Board and the Secretary of the Interior, export shipments of quantities of helium that are not of military importance as defined in said regulations, and which do not exceed a maximum to be specified therein, may be made under license granted by the Secretary of State without such specific recommendation. Such regulations shall not permit accumulations of helium in quantities of military importance in any foreign country, nor the exportation of helium to countries named in proclamations of the President issued pursuant to section 1 (a) or (c) of the Neutrality Act of May 1, 1937 (Public Resolution Numbered 27 of the Seventy-fifth Congress) while such proclamations are in effect, and shall require exporters to submit a sworn statement to the Secretary of State showing the quantity, destination, consignee, and intended use of each proposed exportation.

"Any person violating any of the provisions of this section or of the regulations made pursuant hereto, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment; and the Federal courts of the United States are hereby granted jurisdiction to try and determine all questions arising under this section.

"The National Munitions Control Board shall include in its Annual Report to the Congress full information concerning the licenses issued hereunder, together with such information and data collected by the Board as may be considered of value in the determination of questions related to the exportation of helium gas.

"SEC. 5. The Secretary of War and the Secretary of the Navy may each designate representatives to cooperate with the Department of the Interior in carrying out the purposes of this Act, and shall have complete right of access to plants, data, and accounts."

Approved, September 1, 1937.

Moneys received credited to special fund; use of.

Payments in excess of deliveries.

Expenses of acquisition, operation, etc.

Excess covered in.

*Proviso.*  
Report to Congress.

Exports; restriction.

*Proviso.*  
Shipments not of military importance.

Accumulations.

Exportation to countries named in proclamations under Neutrality Act.  
*Ante*, p. 121.

Penal provisions.

National Munitions Control Board.  
Information to be included in annual reports.

Cooperation by War and Navy Departments.



## [CHAPTER 896]

## AN ACT

September 1, 1937  
[S. 1685]  
[Public, No. 412]

To provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes.

United States Housing Act of 1937.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## DECLARATION OF POLICY

Declaration of policy.

SECTION 1. It is hereby declared to be the policy of the United States to promote the general welfare of the Nation by employing its funds and credit, as provided in this Act, to assist the several States and their political subdivisions to alleviate present and recurring unemployment and to remedy the unsafe and insanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low income, in rural or urban communities, that are injurious to the health, safety, and morals of the citizens of the Nation.

Definitions.

## DEFINITIONS

SEC. 2. When used in this Act—

"Low-rent housing."

(1) The term "low-rent housing" means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing as defined in this Act shall be available solely for families whose net income at the time of admission does not exceed five<sup>1</sup> times the rental (including the value or cost to them of heat, light, water, and cooking fuel) of the dwellings to be furnished such families, except that in the case of families with three or more minor dependents, such ratio shall not exceed six to one.

"Families of low income."

(2) The term "families of low income" means families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use.

"Slum."

(3) The term "slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

"Slum clearance."

(4) The term "slum clearance" means the demolition and removal of buildings from any slum area.

"Development."

(5) The term "development" means any or all undertakings necessary for planning, financing (including payment of carrying charges), land acquisition, demolition, construction, or equipment, in connection with a low-rent-housing or slum-clearance project, but not beyond the point of physical completion. Construction activity in connection with a low-rent-housing project may be confined to the reconstruction, remodeling, or repair of existing buildings.

"Administration."

(6) The term "administration" means any or all undertakings necessary for management, operation, maintenance, or financing, in connection with a low-rent-housing or slum-clearance project, subsequent to physical completion.

<sup>1</sup> So in original.

(7) The term "Federal project" means any project owned or administered by the Authority.

"Federal project."

(8) The term "acquisition cost" means the amount prudently required to be expended by a public housing agency in acquiring a low-rent-housing or slum-clearance project.

"Acquisition cost."

(9) The term "non-dwelling facilities" shall include site development, improvements and facilities located outside building walls (including streets, sidewalks, and sanitary, utility, and other facilities).

"Non-dwelling facilities."

(10) The term "going Federal rate of interest" means, at any time, the annual rate of interest specified in the then most recently issued bonds of the Federal Government having a maturity of ten years or more.

"Going Federal rate of interest."

(11) The term "public housing agency" means any State, county, municipality, or other governmental entity or public body (excluding the Authority), which is authorized to engage in the development or administration of low-rent housing or slum clearance.

"Public housing agency."

(12) The term "State" includes the States of the Union, the District of Columbia, and the Territories, dependencies, and possessions of the United States.

"State."

(13) The term "Authority" means the United States Housing Authority created by section 3 of this Act.

"Authority."

#### UNITED STATES HOUSING AUTHORITY

SEC. 3. (a) There is hereby created in the Department of the Interior and under the general supervision of the Secretary thereof a body corporate of perpetual duration to be known as the United States Housing Authority, which shall be an agency and instrumentality of the United States.

United States Housing Authority.

Corporate agency created.

(b) The powers of the Authority shall be vested in and exercised by an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall serve for a term of five years and shall be removable by the President upon notice and hearing for neglect of duty or malfeasance but for no other cause.

Administrator; powers, appointment, etc.

(c) The Administrator shall receive a salary of \$10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. Neither the Administrator nor any officer or employee of the Authority shall participate in any matter affecting his personal interests or the interest of any corporation, partnership, or association in which he is directly or indirectly interested.

Salary; engagement in other business.

SEC. 4. (a) The Administrator is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such employees as may be necessary for the proper performance of the duties of the Authority under this Act; except that without regard to the civil-service laws he may appoint such officers, attorneys and experts, and such employees whose compensation is in excess of \$1,980 per annum, as may be necessary to carry out the purposes of this Act.

Employees.  
5 U. S. C. §§ 661-674.

(b) Appointment to positions made under the provisions of this Act the annual salary of which is in excess of \$7,500 per annum shall be subject to confirmation by the Senate.

Senate confirmation of certain appointments.

(c) The Administrator may accept and utilize such voluntary and uncompensated services and with the consent of the agency concerned may utilize such officers, employees, equipment, and information of any agency of the Federal, State, or local governments as he finds helpful in the performance of the duties of the Authority. In connec-

Voluntary services. Services, etc., of other agencies.

Transfer of housing  
or slum-clearance  
projects to Authority.

Funds.

Principal office;  
branches.

General corporate  
provisions.

Seal.

Franking privilege.

Tax exemption pro-  
vision.

Expenditures au-  
thorized.

Contracts and pur-  
chases.  
R. S. § 3709.  
41 U. S. C. § 5.

tion with the utilization of such services, the Authority may make reasonable payments for necessary traveling and other expenses.

(d) The President may at any time in his discretion transfer to the Authority any right, interest, or title held by any department or agency of the Federal Government in any housing or slum-clearance projects (constructed or in process of construction on the date of enactment of this Act), any assets, contracts, records, libraries, research materials, and other property held in connection with any such housing or slum-clearance projects or activities, any unexpended balance of funds allocated to such department or agency for the development, administration, or assistance of any housing or slum-clearance projects or activities, and any employees who have been engaged in work connected with housing or slum clearance. The Authority may continue any or all activities undertaken in connection with projects so transferred, subject to the provisions of this Act.

SEC. 5. (a) The principal office of the Authority shall be in the District of Columbia, but it may establish branch offices or agencies in any State, and may exercise any of its powers at any place within the United States. The Authority may, by one or more of its officers or employees or by such agents or agencies as it may designate, conduct hearings or negotiations at any place.

(b) The Authority shall sue and be sued in its own name, and shall be represented in all litigated matters by the Attorney General or such attorney or attorneys as he may designate.

(c) The Authority shall have an official seal, which shall be judicially noticed.

(d) The Authority shall be granted the free use of the mails in the same manner as the executive departments of the Government.

(e) The Authority, including but not limited to its franchise, capital, reserves, surplus, loans, income, assets, and property of any kind, shall be exempt from all taxation now or hereafter imposed by the United States or by any State, county, municipality, or local taxing authority. Obligations, including interest thereon, issued by public housing agencies in connection with low-rent-housing or slum-clearance projects, and the income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States.

SEC. 6. (a) The Authority may make such expenditures, subject to audit under the general law, for the acquisition and maintenance of adequate administrative agencies, offices, vehicles, furnishings, equipment, supplies, books, periodicals, printing and binding, for attendance at meetings, for any necessary traveling expenses within the United States, its Territories, dependencies, or possessions, and for such other expenses as may from time to time be found necessary for the proper administration of this Act. Such financial transactions of the Authority as the making of loans, annual contributions, and capital grants, and the acquisition, sale, exchange, lease, or other disposition of real and personal property, and vouchers approved by the Administrator in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such financial transactions of the Authority shall be audited by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe.

(b) The provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) shall apply to all contracts of the Authority for services and to all of its purchases of supplies except when the aggregate amount involved is less than \$300.

(c) The use of funds made available for the purposes of this Act shall be subject to the provisions of section 2 of title 3 of the Treasury and Post Office Appropriation Act for the fiscal year 1934 (47 Stat. 1489), and to make such provisions effective every contract or agreement of any kind pursuant to this Act shall contain a provision identical to the one prescribed in section 3 of title 3 of such Act.

(d) No annual contribution, grant, or loan, and no contract for any annual contribution, grant, or loan, under this Act, shall be undertaken by the Authority except with the approval of the President.

SEC. 7. (a) The Authority may publish and disseminate information pertinent to the various aspects of housing.

(b) In January of each year the Authority shall make an annual report to Congress of its operations and expenses, including loans, contributions, and grants made or contracted for, low-rent-housing and slum-clearance projects undertaken, and the assets and liabilities of the Authority. Such report shall include operating statements of all projects under the jurisdiction of or receiving the assistance of the Authority, including summaries of the incomes of occupants, sizes of families, rentals, and other related information.

SEC. 8. The Authority may from time to time make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this Act.

#### LOANS FOR LOW-RENT-HOUSING AND SLUM-CLEARANCE PROJECTS

SEC. 9. The Authority may make loans to public-housing agencies to assist the development, acquisition, or administration of low-rent-housing or slum-clearance projects by such agencies. Where capital grants are made pursuant to section 11 the total amount of such loans outstanding on any one project and in which the Authority participates shall not exceed the development or acquisition cost of such project less all such capital grants, but in no event shall said loans exceed 90 per centum of such cost. In the case of annual contributions in assistance of low rentals as provided in section 10 the total of such loans outstanding on any one project and in which the Authority participates shall not exceed 90 per centum of the development or acquisition cost of such project. Such loans shall bear interest at such rate not less than the going Federal rate at the time the loan is made, plus one-half of one per centum, shall be secured in such manner, and shall be repaid within such period not exceeding sixty years, as may be deemed advisable by the Authority.

#### ANNUAL CONTRIBUTIONS IN ASSISTANCE OF LOW RENTALS

SEC. 10. (a) The Authority may make annual contributions to public housing agencies to assist in achieving and maintaining the low-rent character of their housing projects. The annual contributions for any such project shall be fixed in uniform amounts, and shall be paid in such amounts over a fixed period of years. No part of such annual contributions by the Authority shall be made available for any project unless and until the State, city, county, or other political subdivision in which such project is situated shall contribute, in the form of cash or tax remissions, general or special, or tax exemptions, at least 20 per centum of the annual contributions herein provided. The Authority shall embody the provisions for such annual contributions in a contract guaranteeing their payment over such fixed period: *Provided*, That no annual contributions shall be made, and the Authority shall enter into no contract guaranteeing

Articles of American manufacture, etc.  
47 Stat. 1520.  
41 U. S. C. § 10a.

Provision concerning, in contracts.  
47 Stat. 1520.  
41 U. S. C. § 10b.

Approval of the President required.

Dissemination of information.

Annual report to Congress.

Rules and regulations.

Loans for low-rent-housing and slum-clearance projects.  
Maximum grants.

Annual contributions.

Interest.

Annual contributions in assistance of low rentals.

Provisions guaranteeing payment.  
*Proviso*.  
Elimination of unsafe or insanitary dwellings.

Conditions imposed.

Deferment.

Extent of Federal contributions.

Regulations.

Provisions.  
Not to exceed annual yield, etc.

Payment of interest or principal.

Contribution contracts for periods exceeding 20 years.

Reexaminations.

Funds available for payment of annual contributions.

Contracts authorized.

any annual contribution in connection with the development of any low-rent-housing or slum-clearance project involving the construction of new dwellings, unless the project includes the elimination by demolition, condemnation, and effective closing, or the compulsory repair or improvement of unsafe or insanitary dwellings situated in the locality or metropolitan area, substantially equal in number to the number of newly constructed dwellings provided by the project; except that such elimination may, in the discretion of the Authority, be deferred in any locality or metropolitan area where the shortage of decent, safe, or sanitary housing available to families of low income is so acute as to force dangerous overcrowding of such families.

(b) Annual contributions shall be strictly limited to the amounts and periods necessary, in the determination of the Authority, to assure the low-rent character of the housing projects involved. Toward this end the Authority may prescribe regulations fixing the maximum contributions available under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. Such regulations may provide for rates of contribution based upon development, acquisition or administration cost, number of dwelling units, number of persons housed, or other appropriate factors: *Provided*, That the fixed contribution payable annually under any contract shall in no case exceed a sum equal to the annual yield, at the going Federal rate of interest at the time such contract is made plus 1 per centum, upon the development or acquisition cost of the low-rent housing or slum-clearance project involved: *And provided further*, That all such annual contributions shall be used first to apply toward any payment of interest or principal on any loan due to the Authority from the public housing agency.

(c) In case any contract for annual contributions is made for a period exceeding twenty years, the Authority shall reserve the right to reexamine the status of the low-rent-housing project involved at the end of ten years and every five years thereafter; and, at the time of any such reexamination, the Authority may make such modification (subject to all the provisions of this section) in the fixed and uniform amounts of subsequent annual contributions payable under such contract as is warranted by changed conditions and as is consistent with maintaining the low-rent character of the housing project involved. In no case shall any contract for annual contributions be made for a period exceeding sixty years.

(d) All payments of annual contributions pursuant to this section shall be made out of any funds available to the Authority when such payments are due, except that its capital and its funds obtained through the issuance of obligations pursuant to section 20 (including repayments or other realizations of the principal of loans made out of such capital and funds) shall not be available for the payment of such annual contributions.

(e) The Authority is authorized, on and after the date of the enactment of this Act, to enter into contracts which provide for annual contributions aggregating not more than \$5,000,000 per annum, on or after July 1, 1938, to enter into additional such contracts which provide for annual contributions aggregating not more than \$7,500,000 per annum, and on or after July 1, 1939, to enter into additional such contracts which provide for annual contributions aggregating not more than \$7,500,000 per annum. Without further authorization from Congress, no new contracts for annual contributions beyond those herein authorized shall be entered into by the

Authority. The faith of the United States is solemnly pledged to the payment of all annual contributions contracted for pursuant to this section, and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such payments.

Federal obligations.

#### CAPITAL GRANTS IN ASSISTANCE OF LOW RENTALS

SEC. 11. (a) As an alternative method of assistance to that provided in section 10, when any public housing agency so requests and demonstrates to the satisfaction of the Authority that such alternative method is better suited to the purpose of achieving and maintaining low rentals and to the other purposes of this Act, capital grants may be made to such agency for such purposes. The capital grants thus made for any low-rent-housing or slum-clearance project shall be paid in connection with its development or acquisition, and shall be strictly limited to the amounts necessary, in the determination of the Authority, to assure its low-rent character: *Provided, however,* That no capital grant shall be made for the development of any low-rent-housing or slum-clearance project involving the construction of new dwellings, unless the project includes the elimination by demolition, condemnation, and effective closing, or the compulsory repair or improvement of unsafe or insanitary dwellings situated in the locality or metropolitan area, substantially equal in number to the number of newly constructed dwelling units provided by the project; except that such elimination may, in the discretion of the Authority, be deferred in any locality or metropolitan area where the shortage of decent, safe, or sanitary housing available to families of low income is so acute as to force dangerous overcrowding of such families.

Capital grants in assistance of low rentals.

*Proviso.*  
Condition.

(b) Pursuant to subsection (a) of this section, the Authority may make a capital grant for any low-rent-housing or slum-clearance project, which shall in no case exceed 25 per centum of its development or acquisition cost.

Limitation on amount.

(c) All payments of capital grants by the Authority pursuant to subsection (b) of this section shall be made out of any funds available to the Authority, except that its capital and its funds obtained through the issuance of obligations pursuant to section 20 (including repayments or other realizations of the principal of loans made out of such capital and funds) shall not be available for the payment of such capital grants.

Funds available.

*Post*, p. 898.

(d) The Authority is authorized, on or after the date of the enactment of this Act to make capital grants (pursuant to subsection (b) of this section) aggregating not more than \$10,000,000, on or after July 1, 1938, to make additional capital grants aggregating not more than \$10,000,000, and on or after July 1, 1939, to make additional capital grants aggregating not more than \$10,000,000. Without further authorization from Congress, no capital grants beyond those herein authorized shall be made by the Authority.

Limitation on authority to make grants.

(e) To supplement any capital grant made by the Authority in connection with the development of any low-rent-housing or slum-clearance project, the President may allocate to the Authority, from any funds available for the relief of unemployment, an additional capital grant to be expended for payment of labor used in such development: *Provided*, That such additional capital grant shall not exceed 15 per centum of the development cost of the low-rent-housing or slum-clearance project involved.

Allocation of funds to supplement grants.

*Proviso.*  
Limitation.

(f) No capital grant pursuant to this section shall be made for any low-rent-housing or slum-clearance project unless the public housing agency receiving such capital grant shall also receive, from the State,

State, etc., contribution.

political subdivision thereof, or otherwise, a contribution for such project (in the form of cash, land, or the value, capitalized at the going Federal rate of interest, of community facilities or services for which a charge is usually made, or tax remissions or tax exemptions) in an amount not less than 20 per centum of its development or acquisition cost.

#### DISPOSAL OF FEDERAL PROJECTS

Disposal of Federal projects.

SEC. 12. (a) It is hereby declared to be the purpose of Congress to provide for the orderly disposal of any low-rent-housing projects hereafter transferred to or acquired by the Authority through the sale or leasing of such projects as hereinafter provided; and, in order to continue the relief of Nation-wide unemployment and in order to avoid waste pending such sale or lease, to provide for the completion and temporary administration of such projects by the Authority.

Authority to sell its Federal projects, etc.

(b) As soon as practicable the Authority shall sell its Federal projects or divest itself of their management through leases.

Sale to public housing agency only; consideration.

(c) The Authority may sell a Federal project only to a public housing agency. Any such sale shall be for a consideration, in whatever form may be satisfactory to the Authority, equal at least to the amount which the Authority determines to be the fair value of the project for housing purposes of a low-rent character (making such adjustment as the Authority deems advisable for any annual contributions which may hereafter be given hereunder in aid of the project), less such allowance for depreciation as the Authority shall fix. Such project shall then become eligible for loans pursuant to section 9, and either annual contributions pursuant to section 10 or a capital grant pursuant to section 11. Any obligation of the purchaser accepted by the Authority as part of the consideration for the sale of such project shall be deemed a loan pursuant to section 9.

Eligibility for loans. *Ante*, p. 891.

Leases to public housing agency.

(d) The Authority may lease any Federal low-rent-housing project, in whole or in part, to a public housing agency. The lessee of any project, pursuant to this paragraph, shall assume and pay all management, operation, and maintenance costs, together with payments, if any, in lieu of taxes, and shall pay to the Authority such annual sums as the Authority shall determine are consistent with maintaining the low-rent character of such project. The provisions of section 321 of the Act of June 30, 1932 (U. S. C., 1934 edition, title 40, sec. 303 b), shall not apply to any lease pursuant to this Act.

47 Stat. 412.  
40 U. S. C. § 303b.

Rentals.

(e) In the administration of any Federal low-rent-housing project pending sale or lease, the Authority shall fix the rentals at the amounts necessary to pay all management, operation, and maintenance costs, together with payments, if any, in lieu of taxes, plus such additional amounts as the Authority shall determine are consistent with maintaining the low-rent character of such project.

#### GENERAL POWERS OF THE AUTHORITY

General powers of the Authority.

SEC. 13. (a) The Authority may foreclose on any property or commence any action to protect or enforce any right conferred upon it by any law, contract, or other agreement. The Authority may bid for and purchase at any foreclosure by any party or at any other sale, or otherwise acquire, and may administer, any low-rent-housing project which it previously owned or in connection with which it has made a loan pursuant to section 9, annual contributions pursuant to section 10, or capital grants pursuant to section 11.

(b) The acquisition by the Authority of any real property pursuant to this Act shall not deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or impair the civil rights under the State or local law of the inhabitants on such property; and, insofar as any such jurisdiction may have been taken away or any such rights impaired by reason of the acquisition of any property transferred to the Authority pursuant to section 4 (d), such jurisdiction and such rights are hereby fully restored.

State civil and criminal jurisdiction.

(c) The Authority may enter into agreements to pay annual sums in lieu of taxes to any State or political subdivision thereof with respect to any real property owned by the Authority. The amount so paid for any year upon any such property shall not exceed the taxes that would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation thereby.

*Ante*, p. 890.

Payments in lieu of taxes.

(d) The Authority may procure insurance against any loss in connection with its property and other assets (including mortgages), in such amounts, and from such insurers, as it deems desirable.

Insurance.

(e) The Authority may sell or exchange at public or private sale, or lease, any real property (except low-rent-housing projects, the disposition of which is governed elsewhere in this Act) or personal property, and sell or exchange any securities or obligations, upon such terms as it may fix. The Authority may borrow on the security of any real or personal property owned by it, or on the security of the revenues to be derived therefrom, and may use the proceeds of such loans for the purposes of this Act.

Sale or exchange of property.

Borrowing authority.

SEC. 14. Subject to the specific limitations or standards in this Act governing the terms of sales, rentals, leases, loans, contracts for annual contributions, contracts for capital grants, or other agreements, the Authority may, whenever it deems it necessary or desirable in the fulfillment of the purposes of this Act, consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, amount of annual contribution, or any other term, of any contract or agreement of any kind to which the Authority is a party or which has been transferred to it pursuant to this Act. Any rule of law contrary to this provision shall be deemed inapplicable.

Contracts and agreements.

SEC. 15. In order to insure that the low-rent character of housing projects will be preserved, and that the other purposes of this Act will be achieved, it is hereby provided that—

Provisions for preserving low rentals, etc.

(1) When a loan is made pursuant to section 9 for a low-rent-housing project the Authority may retain the right, in the event of a substantial breach of the condition (which shall be embodied in the loan agreement) providing for the maintenance of the low-rent character of the housing project involved or in the event of the acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, to increase the interest payable thereafter on the balance of said loan then held by the Authority to a rate not in excess of the going Federal rate (at the time of such breach or acquisition) plus 2 per centum per annum or to declare the unpaid principal on said loan due forthwith.

Low-rent-housing projects.  
*Ante*, p. 891.

(2) When a loan is made pursuant to section 9 for a slum-clearance project the Authority shall retain the right, in the event of the leasing or acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, to increase the interest payable thereafter on the balance of said loan then held by the Authority to a rate not in

Slum-clearance projects.



excess of the going Federal rate (at the time of such leasing or acquisition) plus 2 per centum per annum or to declare the unpaid principal on said loan due forthwith.

Contracts for annual contributions, rights reserved by Authority.

(3) When a contract for annual contributions is made pursuant to section 10, the Authority shall retain the right, in the event of a substantial breach of the condition (which shall be embodied in such contract) providing for the maintenance of the low-rent character of the housing project involved, to reduce or terminate the annual contributions payable under such contract. In the event of the acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, such annual contributions shall terminate.

Insertion of other covenants in contracts.

(4) The Authority may also insert in any contract for loans, annual contributions, capital grants, sale, lease, mortgage, or any other agreement or instrument made pursuant to this Act, such other covenants, conditions, or provisions as it may deem necessary in order to insure the low-rent character of the housing project involved: *Provided*, That any such contract for a substantial loan may contain a condition requiring the maintenance of an open space or playground in connection with the housing project involved if deemed necessary by the Authority for the safety or health of children.

*Proviso.*  
Playground space.

Cost limitation, family dwelling units, etc.

(5) No contract for any loan, annual contribution, or capital grant made pursuant to this Act shall be entered into by the Authority with respect to any project hereafter initiated costing more than \$4,000 per family-dwelling-unit or more than \$1,000 per room (excluding land, demolition, and non-dwelling facilities); except that in any city the population of which exceeds 500,000 any such contract may be entered into with respect to a project hereafter initiated costing not to exceed \$5,000 per family-dwelling-unit or not to exceed \$1,250 per room (excluding land, demolition, and non-dwelling facilities), if in the opinion of the Authority such higher family-dwelling-unit cost or cost per room is justified by reason of higher costs of labor and materials and other construction costs. With respect to housing projects on which construction is hereafter initiated, the Authority shall make loans, grants, and annual contributions only for such low-rent-housing projects as it finds are to be undertaken in such a manner (a) that such projects will not be of elaborate or expensive design or materials, and economy will be promoted both in construction and administration, and (b) that the average construction cost of the dwelling units (excluding land, demolition, and non-dwelling facilities) in any such project is not greater than the average construction cost of dwelling units currently produced by private enterprise, in the locality or metropolitan area concerned, under the legal building requirements applicable to the proposed site, and under labor standards not lower than those prescribed in this Act.

Activities restricted.

Labor standards.  
Contractors on public buildings.  
49 Stat. 1011.  
40 U. S. C., Supp. II, § 270a.  
49 Stat. 793.  
40 U. S. C., Supp. II, § 270a-d.

SEC. 16. In order to protect labor standards—

(1) The provisions of the Act of August 30, 1935, entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings" (49 Stat. 1011), and of the Act of August 24, 1935, entitled "An Act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work" (U. S. C., 1934 edition, Supp. II, title 40, secs. 270a to 270d, inclusive),

shall apply to contracts in connection with the development or administration of Federal projects and the furnishing of materials and labor for such projects: *Provided*, That suits shall be brought in the name of the Authority and that the Authority shall itself perform the duties prescribed by section 3 (a) of the Act of August 30, 1935, and section 3 of the Act of August 24, 1935.

*Previo.  
Suits.*  
49 Stat. 1012, 794.

(2) Any contract for loans, annual contributions, capital grants, sale, or lease pursuant to this Act shall contain a provision requiring that the wages or fees prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Authority, shall be paid to all architects, technical engineers, draftsmen, technicians, laborers, and mechanics employed in the development or administration of the low-rent housing or slum-clearance project involved; and the Authority may require certification as to compliance with the provisions of this paragraph prior to making any payment under such contract.

*Prevailing wages or  
fees.*

(3) The Act entitled "An Act limiting the hours of daily services of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes", as amended (37 Stat. 137), shall apply to contracts of the Authority for work in connection with the development and administration of Federal projects.

*Eight-hour work-  
day Act.*  
37 Stat. 137.  
40 U. S. C. §§ 824,  
325.

(4) The benefits of the Act entitled "An Act to provide compensation for employees of United States suffering injuries while in the performance of their duties, and for other purposes" (39 Stat. 742), shall extend to officers and employees of the Authority.

*Injuries to Govern-  
ment employees.*  
39 Stat. 742.  
5 U. S. C. §§ 751-793.

(5) The provisions of sections 1 and 2 of the Act of June 13, 1934 (U. S. C., 1934 edition, title 40, secs. 276b and 276c), shall apply to any low-rent-housing or slum-clearance project financed in whole or in part with funds made available pursuant to this Act.

*Compensation on  
public works.*  
48 Stat. 948.  
40 U. S. C. §§ 276b, c.

(6) Any contractor engaged on any project financed in whole or in part with funds made available pursuant to this Act shall report monthly to the Secretary of Labor, and shall cause all subcontractors to report in like manner (within five days after the close of each calendar month, on forms to be furnished by the United States Department of Labor), as to the number of persons on their respective pay rolls on the particular project, the aggregate amount of such pay rolls, the total man-hours worked, and itemized expenditures for materials. Any such contractor shall furnish to the Department of Labor the names and addresses of all subcontractors on the work at the earliest date practicable.

*Report of contrac-  
tors.*

#### FINANCIAL PROVISIONS

SEC. 17. The Authority shall have a capital stock of \$1,000,000, which shall be subscribed by the United States and paid by the Secretary of the Treasury out of any available funds. Receipts for such payment shall be issued to the Secretary of the Treasury by the Authority and shall evidence the stock ownership of the United States of America.

*Financial provi-  
sions.*  
*Capital stock, sub-  
scription by United  
States.*

SEC. 18. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$26,000,000 for the fiscal year ending June 30, 1938, of which \$1,000,000 shall be available to pay the subscription to the capital stock of the Authority. Such sum, and all receipts and assets of the Authority, shall be available for the purposes of this Act until expended.

*Appropriation au-  
thorized.*  
*Ante, p. 772.*

*Availability.*

SEC. 19. Any funds available under any Act of Congress for allocation for housing or slum clearance may, in the discretion of the President, be allocated to the Authority for the purposes of this Act.

*Allocations.*

Issuance of obligations.

SEC. 20. (a) The Authority is authorized to issue obligations, in the form of notes, bonds, or otherwise, which it may sell to obtain funds for the purposes of this Act. The Authority may issue such obligations in an amount not to exceed \$100,000,000 on or after the date of enactment of this Act, an additional amount not to exceed \$200,000,000 on or after July 1, 1938, and an additional amount not to exceed \$200,000,000 on or after July 1, 1939. Such obligations shall be in such forms and denominations, mature within such periods not exceeding sixty years from date of issue, bear such rates of interest not exceeding 4 per centum per annum, be subject to such terms and conditions, and be issued in such manner and sold at such prices as may be prescribed by the Authority, with the approval of the Secretary of the Treasury.

Tax exemption.

(b) Such obligations shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or by any State, county, municipality, or local taxing authority.

Guarantee by United States.

(c) Such obligations shall be fully and unconditionally guaranteed upon their face by the United States as to the payment of both interest and principal, and, in the event that the Authority shall be unable to make any such payment upon demand when due, payments shall be made to the holder by the Secretary of the Treasury with money hereby authorized to be appropriated for such purpose out of any money in the Treasury not otherwise appropriated. To the extent of such payment the Secretary of the Treasury shall succeed to all the rights of the holder.

Deemed lawful investments; security.

(d) Such obligations shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds the investment or deposit of which shall be under the authority or control of the United States or any officer or agency thereof. The Secretary of the Treasury is likewise authorized to purchase any such obligations, and for such purchases he may use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any such purchases. The Secretary of the Treasury may at any time sell any of the obligations acquired by him pursuant to this section, and all redemptions, purchases, and sales by him of such obligations shall be treated as public-debt transactions of the United States.

Purchase, sale, etc.

40 Stat. 288.

Marketing.

(e) Such obligations may be marketed for the Authority at its request by the Secretary of the Treasury, utilizing all the facilities of the Treasury Department now authorized by law for the marketing of obligations of the United States.

Deposits.

SEC. 21. (a) Any money of the Authority not otherwise employed may be deposited, subject to check, with the Treasurer of the United States or in any Federal Reserve bank, or may be invested in obligations of the United States or used in the purchase or retirement or redemption of any obligations issued by the Authority.

Depositories, etc.

(b) The Federal Reserve banks are authorized and directed to act as depositories, custodians, and fiscal agents for the Authority in the general exercise of its powers, and the Authority may reimburse any such bank for its services in such manner as may be agreed upon.

Authority as financial agent of Government.

(c) The Authority may be employed as a financial agent of the Government. When designated by the Secretary of the Treasury, and subject to such regulations as he may prescribe, the Authority shall be a depository of public money, except receipts from customs.

Limitation on expenditure in any one State.

(d) Not more than 10 per centum of the funds provided for in this Act, either in the form of a loan, grant, or annual contribution, shall be expended within any one State.

## PENALTIES

Penalty provisions.

SEC. 22. All general penal statutes relating to the larceny, embezzlement, or conversion or to the improper handling, retention, use, or disposal of public moneys or property of the United States shall apply to the moneys and property of the Authority and to moneys and properties of the United States entrusted to the Authority.

Application of general statutes.

SEC. 23. Any person who, with intent to defraud the Authority or to deceive any director, officer, or employee thereof or any officer or employee of the United States, makes any false entry in any book of the Authority or make any false report or statement to or for the Authority shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

False entries, etc.

SEC. 24. Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Authority or with intent unlawfully to defeat its purposes, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Fraud, etc.

SEC. 25. Any person who induces or influences the Authority to purchase or acquire any property or to enter into any contract and willfully fails to disclose any interest, legal or equitable, which he has in such property or in the property to which such contract relates, or any special benefit which he expects to receive as a result of such contract, shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Interest in contract, etc.

SEC. 26. No individual, association, partnership, or corporation shall use the words "United States Housing Authority", or any combination of these four words, as the name, or part thereof, under which he or it shall do business. Any such use shall constitute a misdemeanor and shall be punishable by a fine not exceeding \$1,000.

Unlawful use of name.

SEC. 27. Wherever the application of the provisions of this Act conflicts with the application of the provisions of Public Numbered 837, approved June 29, 1936 (49 Stat. 2025), Public Numbered 845, approved June 29, 1936 (49 Stat. 2035), or any other Act of the United States dealing with housing or slum clearance, or any Executive order, regulation, or other order thereunder, the provisions of this Act shall prevail.

Conflicting provisions; present Act to apply.  
49 Stat. 2025, 2035.  
40 U. S. C., Supp. II, §§ 421, 431.

SEC. 28. The President is hereby authorized to make available to The Alley Dwelling Authority, from any funds appropriated or otherwise provided to carry out the purposes of this Act, such sums as he deems necessary to carry out the purposes of the District of Columbia Alley Dwelling Act, approved June 12, 1934 (Public Numbered 307, Seventy-third Congress). Such sums shall be deposited in the Conversion of Inhabited Alleys Fund and thereafter shall remain immediately available for the purposes of the District of Columbia Alley Dwelling Act.

Alley Dwelling Authority.  
Administrative expenses.

48 Stat. 930.

SEC. 29. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Separability provision.

SEC. 30. This Act may be cited as the "United States Housing Act of 1937".

Short title.

Approved, September 1, 1937.

## [CHAPTER 897]

## AN ACT

September 1, 1937

[S. 1722]

[Public, No. 413]

To provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes.

Alaska.  
Reindeer industry,  
establishment, etc.  
Policy and purpose  
declared.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a necessity for providing means of subsistence for the Eskimos and other natives of Alaska is hereby declared to exist. It is also declared to be the policy of Congress, and the purpose of this Act, to establish and maintain for the said natives of Alaska a self-sustaining economy by acquiring and organizing for and on behalf of said natives a reindeer industry or business, by encouraging and developing native activity and responsibility in all branches of the said industry or business, and by preserving the native character of the said industry or business thus established.

Government acqui-  
sition of reindeer,  
range equipment, etc.

SEC. 2. The Secretary of the Interior is hereby authorized and directed, to acquire, in the name of the United States, by purchase or other lawful means, including exercise of the power of eminent domain, for and on behalf of the Eskimos and other natives of Alaska, reindeer, reindeer-range equipment, abattoirs, cold-storage plants, warehouses, and other property, real or personal, the acquisition of which he determines to be necessary to the effectuation of the purposes of this Act. Any condemnation proceedings undertaken by virtue of the authority granted in this section shall conform, as nearly as may be, to the procedure provided for the condemnation of real estate by the Act of August 1, 1888 (Chapter 728), or to that provided by the Act of February 26, 1931 (Chapter 307): *Provided*, That nothing herein contained shall authorize the Secretary of the Interior to consolidate native-owned herds of reindeer with herds owned by others than natives prior to the purchase or acquisition of such herds of others than natives.

Condemnation pro-  
ceedings.

40 U. S. C. §§ 257,  
258a.

*Proviso.*  
Consolidation of  
native-owned with  
nonnative-owned  
herds.

Declarations of own-  
ership by nonnatives  
to be filed.

SEC. 3. All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within one year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership. Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by gift at any time after the date of this enactment shall be filed as aforesaid within thirty days after the date of such acquisition. Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, shall fail to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

Records; open to  
inspection.  
Failure to file dec-  
laration.

Acceptance of gifts.

SEC. 4. The Secretary of the Interior is hereby authorized to receive, in the name of the United States, for and on behalf of said natives of Alaska, gifts made for the purposes of this Act.

Federal loans, allo-  
cations, etc.

SEC. 5. The Secretary of the Interior is hereby authorized to receive and expend, for the purposes of this Act, properly authorized loans, grants, or allocations made to him for said purposes by Federal agencies.

Receipts to consti-  
tute a revolving fund.

SEC. 6. Except as herein otherwise specially provided, none of the moneys collected or received by the Secretary of the Interior in his administration of this Act shall be paid into the Treasury, but all such moneys shall constitute a revolving fund to be administered by the Secretary of the Interior for the purposes of this Act.

Establishment of  
permanent, self-sus-  
taining economy au-  
thorized.

SEC. 7. The Secretary of the Interior is authorized and directed to organize and manage the reindeer industry or business provided for by this Act in such manner as to establish and maintain for said

natives of Alaska a complete and self-sustaining economy and to encourage and develop the activity and responsibility of said natives in all branches of said industry or business.

SEC. 8. The Secretary of the Interior is authorized to distribute the reindeer and other property acquired by the United States under this Act among the Eskimos or other natives of Alaska, or to corporations, associations, or organizations of said natives, either in the form of gifts or under such conditions as the Secretary of the Interior may prescribe, and to execute and deliver appropriate instruments of title, or to hold and use the same in trust for the use and benefit of said natives, with a view of effecting the widest possible distribution of such reindeer and other property among those natives of Alaska who are in need thereof and who can make proper use of the same. The Secretary of the Interior may from time to time, in such manner as he determines to be proper for effectuating the purposes of this Act, distribute among those of said natives or corporations, associations, or other organizations of said natives, who are engaged in said industry or business or for whose subsistence reindeer are necessary, whatever profits may be earned by that part of the industry or business which is owned by the United States and which may, in the judgment of the Secretary of the Interior, be distributed in accordance with sound business practice.

SEC. 9. The Secretary of the Interior is hereby authorized to grant, in his discretion and subject to such terms as he may impose, to any corporations, associations, or other organizations of said natives any or all of the powers relating to the administration of the reindeer industry or business herein provided for, upon a finding by him as to each grant that it is in the interests of the said natives of Alaska and will serve the purposes of this Act.

SEC. 10. Live reindeer in Alaska, and the increase thereof, acquired by the Secretary of the Interior pursuant to this Act, and live reindeer in Alaska, and the increase thereof, owned by the said natives of Alaska or corporations, associations, or other organizations of said natives, however acquired, shall not be sold or transferred, by descent, devise, or in any other manner whatsoever, to anyone other than the said natives of Alaska the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives, except with the consent in writing of the Secretary of the Interior or his duly authorized agent, stating that such consent is given upon the condition that the reindeer, and any increase thereof, sold or otherwise transferred with said consent, shall either be butchered in the Territory of Alaska within thirty days or shipped out of said Territory and never brought back alive into said Territory. Sales or other transfers of said reindeer, if made without the consent in writing herein required, or, although made with said consent, if followed by failure to comply with the condition therein required, shall be null and void, and shall not pass any title to or right to possession of any reindeer or increase thereof. No stock or other interest in any corporation, association, or other organization of said natives, engaged in or organized for the purpose of engaging in the reindeer industry or business, shall be transferred, by descent, devise, or in any other manner whatsoever, to anyone other than said natives of Alaska, the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives. Any willful violation of the provisions of this section of this Act by any vendee or other transferee shall be punishable by a fine of not more than \$500: *Provided*, That no title to any reindeer, or reindeer products, owned by the United States for and on behalf of the said natives of Alaska, nor any title to reindeer, or reindeer products, owned by any of said natives or said corporations, asso-

Distributions to natives.

Profits.

Delegation of powers.

Sale or transfer by descent, etc., to other than natives.

Transfer of stock of native organization to nonnative, etc.

Penalty for violation.

Protees.  
Title restrictions.

Transfer to native relatives.

ciations, or other organizations of said natives, nor any stock or other interest in said corporations, associations, or other organizations of said natives, shall be transferred by descent, device<sup>1</sup>, or in any other manner whatsoever, except pursuant to regulations promulgated by the Secretary of the Interior for the purposes of preserving the native character of the reindeer industry or business in Alaska and effectuating the other purposes of this Act: *Provided further*, That nothing herein contained shall prevent any native of Alaska who owns reindeer or any interest therein through stock ownership, or otherwise, in any corporation or association or other organization owning reindeer, from transferring his reindeer, or any interest therein, to his children or other native relatives by gift, sale, devise, or bequest, or prevent the same from being so transferred or passed by descent.

"Reindeer" defined.

SEC. 11. "Reindeer" as used in this Act shall be understood to include reindeer and such caribou as have been introduced into animal husbandry or have actually joined reindeer herds, and the increase thereof.

Rules and regulations.

SEC. 12. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as, in his judgment, are necessary to carry into effect the provisions of this Act.

Appointment of natives to supervisory positions.

SEC. 13. Whenever, in his judgment, it is practicable and to the best interests of the natives the Secretary shall appoint natives to the supervisory and other positions in the administration of such reindeer industry or business.

Grazing, ranges, etc.

SEC. 14. In order to coordinate the use of public lands in Alaska for grazing reindeer with the purposes of this Act, the Secretary of the Interior is hereby authorized to regulate the grazing of reindeer upon said lands. He may, in his discretion, define reindeer ranges and regulate the use thereof for grazing reindeer; issue grazing permits; regulate and control all round-ups, handlings, markings, and butcherings of reindeer upon said public lands; and may issue rules and regulations to carry into effect the provisions of this section of this Act. Any person who willfully violates any of the rules and regulations promulgated for the purpose of carrying into effect the provisions of this section of this Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than one year or by a fine of not more than \$500.

Penalty provisions.

"Natives of Alaska" defined.  
15 Stat. 539.

SEC. 15. The term "natives of Alaska" as used herein shall be deemed to mean the native Indians, Eskimos, and Aleuts of whole or part blood inhabiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, together with the Indians and Eskimos who, since the year 1867 and prior to the enactment hereof, have migrated into Alaska from the Dominion of Canada, and their descendants of the whole or part blood.

Appropriation authorized.

SEC. 16. The sum of \$2,000,000 is hereby authorized to be appropriated for the use of the Secretary of the Interior in carrying out the provisions of this Act.

Inconsistent Acts repealed.

SEC. 17. All Acts of Congress or parts thereof which are inconsistent with the provisions of this Act are hereby repealed.

Approved, September 1, 1937.

<sup>1</sup> So in original.

## [CHAPTER 898]

## AN ACT

To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the Sugar Act of 1937.

September 1, 1937  
[H. R. 7667]  
[Public, No. 414]

Sugar Act of 1937.

## TITLE I—DEFINITIONS

Title I—Definitions.

(Title IV excepted.)

"Person."

SECTION 101. For the purposes of this Act, except title IV—

(a) The term "person" means an individual, partnership, corporation, or association.

"Sugars."

(b) The term "sugars" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose.

"Sugar."

(c) The term "sugar" means raw sugar or direct-consumption sugar.

"Raw sugar."

(d) The term "raw sugar" means any sugars which are principally of crystalline structure and which are to be further refined or improved in quality, and any sugars which are principally not of crystalline structure but which are to be further refined or otherwise improved in quality to produce any sugars principally of crystalline structure.

"Direct-consumption sugar."

(e) The term "direct-consumption sugar" means any sugars which are principally of crystalline structure and which are not to be further refined or otherwise improved in quality.

"Liquid sugar."

(f) The term "liquid sugar" means any sugars (exclusive of sirup of cane juice produced from sugarcane grown in continental United States) which are principally not of crystalline structure and which contain, or which are to be used for the production of any sugars principally not of crystalline structure which contain, soluble nonsugar solids (excluding any foreign substances that may have been added) equal to 6 per centum or less of the total soluble solids.

"Sugars in dry amorphous form."

(g) Sugars in dry amorphous form shall be considered to be principally of crystalline structure.

"Raw value."

(h) The "raw value" of any quantity of sugars means its equivalent in terms of ordinary commercial raw sugar testing ninety-six sugar degrees by the polariscope, determined in accordance with regulations to be issued by the Secretary. The principal grades and types of sugar and liquid sugar shall be translated into terms of raw value in the following manner:

Grades and types.

(1) For direct-consumption sugar, derived from sugar beets and testing ninety-two or more sugar degrees by the polariscope, by multiplying the number of pounds thereof by 1.07;

(2) For sugar, derived from sugarcane and testing ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by 0.93;

(3) For sugar, derived from sugarcane and testing more than ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by the figure obtained by adding to 0.93 the result of multiplying 0.0175 by the number of degrees and fractions of a degree of polarization above ninety-two degrees;



(4) For sugar and liquid sugar, testing less than ninety-two sugar degrees by the polariscope, by dividing the number of pounds of the "total sugar content" thereof by 0.972.

(5) The Secretary may establish rates for translating sugar and liquid sugar into terms of raw value for (a) any grade or type of sugar or liquid sugar not provided for in the foregoing and (b) any special grade or type of sugar or liquid sugar for which he determines that the raw value cannot be measured adequately under the provisions of paragraphs (1) to (4), inclusive, of this subsection (h).

"Total sugar content."

(i) The term "total sugar content" means the sum of the sucrose (Clerget) and reducing or invert sugars contained in any grade or type of sugar or liquid sugar.

"Quota."

(j) The term "quota", depending upon the context, means (1) that quantity of sugar or liquid sugar which may be brought or imported into the continental United States, for consumption therein, during any calendar year, from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or a foreign country or group of foreign countries; (2) that quantity of sugar or liquid sugar produced from sugar beets or sugarcane grown in the continental United States which, during any calendar year, may be shipped, transported, or marketed in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce; or (3) that quantity of sugar or liquid sugar which may be marketed in the Territory of Hawaii or in Puerto Rico, for consumption therein, during any calendar year.

"Producer."

(k) The term "producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar.

"Including" and "include."

(l) The terms "including" and "include" shall not be deemed to exclude anything not mentioned but otherwise within the meaning of the term defined.

"Secretary."

(m) The term "Secretary" means the Secretary of Agriculture.

Title II—Quota provisions.

## TITLE II—QUOTA PROVISIONS

Annual determination of requirements.

SEC. 201. The Secretary shall determine for each calendar year the amount of sugar needed to meet the requirements of consumers in the continental United States; such determinations shall be made during the month of December in each year for the succeeding calendar year and at such other times during such calendar year as the Secretary may deem necessary to meet such requirements. In making such determinations the Secretary shall use as a basis the quantity of direct-consumption sugar distributed for consumption, as indicated by official statistics of the Department of Agriculture, during the twelve-month period ending October 31 next preceding the calendar year for which the determination is being made, and shall make allowances for a deficiency or surplus in inventories of sugar, and changes in consumption, as computed from statistics published by agencies of the Federal Government with respect to inventories of sugar, population, and demand conditions; and in order that the regulation of commerce provided for under this Act shall not result in excessive prices to consumers, the Secretary may make such additional allowances as he may deem necessary in the amount of sugar determined to be needed to meet the requirements of consumers, so that the supply of sugar made available under this Act shall not result in average prices to consumers in excess of those necessary to maintain the

Basis.

Consumer safeguards.

domestic sugar industry as a whole, and the amounts of such additional allowances shall be such that in no event will the amount of the total supply be less than the quantity of sugar required to give consumers of sugar in the continental United States a per capita consumption equal to that of the average of the two-year period 1935-1936.

SEC. 202. Whenever a determination is made, pursuant to section 201, of the amount of sugar needed to meet the requirements of consumers, the Secretary shall establish quotas, or revise existing quotas—

(a) For domestic sugar-producing areas by prorating among such areas 55.59 per centum of such amount of sugar (but not less than 3,715,000 short tons) on the following basis:

Area	Per centum
Domestic beet sugar-----	41.72
Mainland cane sugar-----	11.31
Hawaii-----	25.25
Puerto Rico-----	21.48
Virgin Islands-----	.24

Domestic areas.

(b) For foreign countries, and the Commonwealth of the Philippine Islands, by prorating 44.41 per centum of such amount of sugar (except, if such amount of sugar is less than 6,682,670 short tons, the excess of such amount over 3,715,000 short tons) on the following basis:

Area	Per centum
Commonwealth of the Philippine Islands-----	34.70
Cuba-----	64.41
Foreign countries other than Cuba-----	.89

Foreign countries.

In no case shall the quota for the Commonwealth of the Philippine Islands be less than the duty-free quota now established by the provisions of the Philippine Independence Act.

The quota for foreign countries other than Cuba shall be prorated among such countries on the basis of the division of the quota for such countries made in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the Agricultural Adjustment Act, as amended.

SEC. 203. In accordance with the applicable provisions of section 201, the Secretary shall also determine the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii, and in Puerto Rico, and shall establish quotas for the amounts of sugar which may be marketed for local consumption in such areas equal to the amounts determined to be needed to meet the requirements of consumers therein.

SEC. 204. (a) The Secretary shall, as he deems necessary during the calendar year, determine whether, in view of the current inventories of sugar, the estimated production from the acreage of sugarcane or sugar beets planted, the normal marketings within a calendar year of new-crop sugar, and other pertinent factors, any domestic area, the Commonwealth of the Philippine Islands, or Cuba, will be unable to market the quota for such area. If the Secretary finds that any domestic area or Cuba will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for the domestic areas and Cuba by prorating an amount of sugar equal to the deficit so determined to the other such areas, on the basis of the quotas then in effect. Any portion of such sugar which the Secretary determines cannot be supplied by domestic areas and Cuba shall be prorated to foreign countries other than Cuba on the basis of the prorations of the quota then in effect for such

Quota for Philippine Islands.  
48 Stat. 456.  
48 U. S. C., Supp. II, §§ 1231-1247.  
Foreign countries, other than Cuba; prorating.

Local marketings in Hawaii and in Puerto Rico.

Inability of domestic, etc., area to market quota.

Revision authorized.

Proration of deficiency.

foreign countries. If the Secretary finds that the Commonwealth of the Philippine Islands will be unable to market the quota for such area for the calendar year then current, he shall revise the quota for foreign countries other than Cuba by prorating an amount of sugar equal to the deficit so determined to such foreign countries, on the basis of the prorations of the quota then in effect for such countries: *Provided, however,* That the quota for any domestic area, the Commonwealth of the Philippine Islands, or Cuba or other foreign countries, shall not be reduced by reason of any determination made pursuant to the provisions of this subsection.

*Proviso.*  
Reduction provi-  
sion.

Proration to foreign  
country; revision, if  
not filled.

Allotment of quota  
to persons marketing  
or importing sugar, etc.

(b) If, on the 1st day of September in any calendar year, any part or all of the proration to any foreign country of the quota in effect on the 1st day of July in the same calendar year for foreign countries other than Cuba, has not been filled, the Secretary may revise the proration of such quota among such foreign countries, by prorating an amount of sugar equal to such unfilled proration to all other such foreign countries which have filled their prorations of such quota by such date, on the basis of the prorations then in effect.

SEC. 205. (a) Whenever the Secretary finds that the allotment of any quota, or proration thereof, established for any area pursuant to the provisions of this Act, is necessary to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, or to prevent disorderly marketing or importation of sugar or liquid sugar, or to maintain a continuous and stable supply of sugar or liquid sugar, or to afford all interested persons an equitable opportunity to market sugar or liquid sugar within any area's quota, after such hearing and upon such notice as he may by regulations prescribe, he shall make allotments of such quota or proration thereof by allotting to persons who market or import sugar or liquid sugar, for such periods as he may designate, the quantities of sugar or liquid sugar which each such person may market in continental United States, the Territory of Hawaii, or Puerto Rico, or may import or bring into continental United States, for consumption therein. Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; or the ability of such person to market or import that portion of such quota or proration thereof allotted to him. The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made.

Appeal from de-  
cision making allot-  
ment.

(b) An appeal may be taken, in the manner hereinafter provided, from any decision making such allotments, or revision thereof, to the United States Court of Appeals for the District of Columbia in any of the following cases:

(1) By any applicant for an allotment whose application shall have been denied.

(2) By any person aggrieved by reason of any decision of the Secretary granting or revising any allotment made to him.

Proceedings.

(c) Such appeal shall be taken by filing with said court within twenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together with proof of service of a true copy of said notice and statement upon the Secretary. Unless a later date is specified by the Secretary as part of his decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the Secretary

in the city of Washington. The Secretary shall thereupon, and in any event not later than ten days from the date of such service upon him, mail or otherwise deliver a copy of said notice of appeal to each person shown by the records of the Secretary to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person to inspect and make copies of appellants' reasons for said appeal at the office of the Secretary in the city of Washington. Within thirty days after the filing of said appeal the Secretary shall file with the court the originals or certified copies of all papers and evidence presented to him upon the hearing involved and also a like copy of his decision thereon and shall within thirty days thereafter file a full statement in writing of the facts and grounds for his decision as found and given by him and a list of all interested persons to whom he has mailed or otherwise delivered a copy of said notice of appeal.

(d) Within thirty days after the filing of said appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party together with proof of service of true copies of said notice and statement, both upon the appellant and upon the Secretary. Any person who would be aggrieved or whose interests would be adversely affected by reversal or modification of the decision of the Secretary complained of shall be considered an interested party.

(e) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision, and if it enters an order reversing the decision of the Secretary it shall remand the case to the Secretary to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Secretary are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States, upon writ of certiorari on petition therefor, under section 240 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 347), by appellant, by the Secretary, or by any interested party intervening in the appeal.

(f) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and other interested parties intervening in said appeal, but not against the Secretary, depending upon the nature of the issues involved in such appeal and the outcome thereof.

(g) The Government of the Commonwealth of the Philippine Islands shall make allotments of any quota established for it pursuant to the provisions of this Act on the basis specified in section 6 (d) of Public Law Numbered 127, approved March 24, 1934.

SEC. 206. Until sugar quotas are established pursuant to this Act for the calendar year 1937, which shall be within sixty days after its enactment, the quotas determined by the Secretary in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the provisions of the Agricultural Adjustment Act, as amended, shall remain in full force and effect.

SEC. 207. (a) Not more than twenty-nine thousand six hundred and sixteen short tons, raw value, of the quota for Hawaii for each of the calendar years 1937, 1938, and 1939 may be filled by direct-consumption sugar; and not more than four thousand nine hundred

Intervention by interested party.

Court jurisdiction.

Process. Limitations.

Judgment.

28 U. S. C. § 347.

Assessment of costs.

Philippine Islands, quota allotments.

48 Stat. 459.  
48 U. S. C. § 1226(d).

Provisional quotas.

Direct-consumption sugar.  
Hawaii.

and thirty-six short tons, raw value, of the quota for Hawaii for the calendar year 1940 may be filled, during the first two months of such year, by direct-consumption sugar.

**Puerto Rico.** (b) Not more than one hundred and twenty-six thousand and thirty-three short tons, raw value, of the quota for Puerto Rico for each of the calendar years 1937, 1938, and 1939 may be filled by direct-consumption sugar; and not more than twenty-one thousand and six short tons, raw value, of the quota for Puerto Rico for the calendar year 1940 may be filled, during the first two months of such year, by direct-consumption sugar.

**Virgin Islands.** (c) None of the quota for the Virgin Islands for any calendar year may be filled by direct-consumption sugar.

**Philippine Islands.** (d) Not more than eighty thousand two hundred and fourteen short tons, raw value, of the quota for the Commonwealth of the Philippine Islands for any calendar year may be filled by direct-consumption sugar.

**Cuba.** (e) Not more than three hundred and seventy-five thousand short tons, raw value, of the quota for Cuba for any calendar year may be filled by direct-consumption sugar.

**Inapplicable to designated local marketings.** (f) This section shall not apply with respect to the quotas established under section 203 for marketing for local consumption in Hawaii and Puerto Rico.

**Liquid sugar for foreign countries.** **Ante, p. 905.** SEC. 208. Quotas for liquid sugar for foreign countries for each calendar year are hereby established as follows:

Country	In terms of wine gallons of 72% total sugar content
Cuba.....	7, 970, 558
Dominican Republic.....	830, 894
Other foreign countries.....	0

The quantities of liquid sugar imported into the continental United States during the calendar year 1937, prior to the enactment of this Act, shall be charged against the quotas for the calendar year 1937 established by this section.

**Unlawful acts.** SEC. 209. All persons are hereby prohibited—

**Importing beyond quota, etc.** (a) From bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or foreign countries, any sugar or liquid sugar after the quota for such area, or the proration of any such quota, has been filled;

**Interstate shipment, etc.** (b) From shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugarcane grown in either the domestic-beet-sugar area or the mainland-cane-sugar area after the quota for such area has been filled;

**Hawaii or Puerto Rico, marketing for consumption therein.** (c) From marketing in either the Territory of Hawaii or Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota therefor has been filled;

**Exceeding allotments, etc.** (d) From exceeding allotments of any quota or proration thereof made to them pursuant to the provisions of this Act.

**Determinations to be made in terms of raw value.** SEC. 210 (a) The determinations provided for in sections 201 and 203, and all quotas, prorations, and allotments, except quotas established pursuant to the provisions of section 208, shall be made or established in terms of raw value.

**Liquid sugar, status.** (b) For the purposes of this title, liquid sugar, except that imported from foreign countries, shall be included with sugar in making the determinations provided for in sections 201 and 203 and in the establishment or revision of quotas, prorations, and allotments.

SEC. 211. (a) The raw-value equivalent of any sugar or liquid sugar in any form, including sugar or liquid sugar in manufactured products, exported from the continental United States under the provisions of section 313 of the Tariff Act of 1930 shall be credited against any charges which shall have been made in respect to the applicable quota or proration for the country of origin. The country of origin of sugar or liquid sugar in respect to which any credit shall be established shall be that country in respect to importation from which drawback of the exported sugar or liquid sugar has been claimed. Sugar or liquid sugar entered into the continental United States under an applicable bond established pursuant to orders or regulations issued by the Secretary, for the express purpose of subsequently exporting the equivalent quantity of sugar or liquid sugar as such, or in manufactured articles, shall not be charged against the applicable quota or proration for the country of origin.

(b) Exportation within the meaning of sections 309 and 313 of the Tariff Act of 1930 shall be considered to be exportation within the meaning of this section.

(c) The quota established for any domestic sugar producing area may be filled only with sugar or liquid sugar produced from sugar beets or sugarcane grown in such area: *Provided, however,* That any sugar or liquid sugar admitted free of duty from the Virgin Islands under the Act of Congress, approved March 3, 1917 (39 Stat. 1133), may be admitted within the quota for the Virgin Islands.

SEC. 212. The provisions of this title shall not apply to (1) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, in any calendar year; (2) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, in any calendar year for religious, sacramental, educational, or experimental purposes; (3) liquid sugar imported from any foreign country, other than Cuba, in individual sealed containers of such capacity as the Secretary may determine, not in excess of one and one-tenth gallons each; or (4) any sugar or liquid sugar imported, brought into, or produced or manufactured in the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed.

### TITLE III—CONDITIONAL-PAYMENT PROVISIONS

SEC. 301. The Secretary is authorized to make payments on the following conditions with respect to sugar or liquid sugar commercially recoverable from the sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar:

(a) That no child under the age of fourteen years shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation, or harvesting of a crop of sugar beets or sugarcane with respect to which application for payment is made, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed; and that no child between the ages of fourteen and sixteen years shall have been employed or permitted to do such work, whether for gain to such child or any other person, for a longer period than eight hours in any one day, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed.

(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect

Credits and drawbacks.

46 Stat. 693.  
19 U. S. C. § 1313.

"Exportation" construed.  
46 Stat. 690, 693.  
19 U. S. C. §§ 1309, 1313.  
Local production requirements.

*Proviso.*  
Virgin Islands.  
39 Stat. 1133.  
48 U. S. C. § 1301.

Exemptions.

Title III—Conditional-payment provisions.

Child labor restriction.

Wage rates.

to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

Process.  
Adjustments.

Marketing in excess  
of share of area's  
quota.

(c) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Where producer is  
also processor, paying  
at rates not less than  
fair, etc.

(d) That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Compliance with  
soil conservation prac-  
tices.

(e) That there shall have been carried out on the farm such farming practices in connection with the production of sugar beets and sugarcane during the year in which the crop was harvested with respect to which a payment is applied for, as the Secretary may determine, pursuant to this subsection, for preserving and improving fertility of the soil and for preventing soil erosion, such practices to be consistent with the reasonable standards of the farming community in which the farm is situated.

Certain provisions  
not retroactive.

The conditions provided in subsection (a) and in subsection (b) with respect to wage rates, of this section shall not apply to work performed prior to the enactment of this Act; and the condition provided in subsection (c) of this section shall not apply to the marketing of the first crop harvested after the enactment of this Act from sugar beets or sugarcane planted prior to such enactment.

Computation of  
amount with respect  
to payment.

SEC. 302. (a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the

quota (and provide a normal carryover inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, sharetenants, adherent planters, or share-croppers.

Proportionate shares, determination of.

(c) Payments shall be effective with respect to sugar or liquid sugar commercially recoverable from sugar beets and sugarcane grown on a farm and which shall have been marketed (or processed by the producer) on and after July 1, 1937.

Payments, when effective.

SEC. 303. In addition to the amount of sugar or liquid sugar with respect to which payments are authorized under subsection (a) of section 302, the Secretary is also authorized to make payments, on the conditions provided in section 301, with respect to bona-fide abandonment of planted acreage and crop deficiencies of harvested acreage, resulting from drought, flood, storm, freeze, disease, or insects, which cause such damage to all or a substantial part of the crop of sugar beets or sugarcane in the same factory district (as established by the Secretary), county, parish, municipality, or local producing area, as determined in accordance with regulations issued by the Secretary, on the following quantities of sugar or liquid sugar: (1) With respect to such bona-fide abandonment of each planted acre of sugar beets or sugarcane, one-third of the normal yield of commercially recoverable sugar or liquid sugar per acre for the farm, as determined by the Secretary; and (2) with respect to such crop deficiencies of harvested acreage of sugar beets or sugarcane, the excess of 80 per centum of the normal yield of commercially recoverable sugar or liquid sugar for such acreage for the farm, as determined by the Secretary, over the actual yield.

Crop abandonment, deficiencies, etc.

SEC. 304. (a) The amount of the base rate of payment shall be 60 cents per hundred pounds of sugar or liquid sugar, raw value.

Rate of payment.

(b) All payments shall be calculated with respect to a farm which, for the purposes of this Act, shall be a farming unit as determined in accordance with regulations issued by the Secretary, and in making such determinations, the Secretary shall take into consideration the use of common work stock, equipment, labor, management, and other pertinent factors.

Computation.

(c) The total payment with respect to a farm shall be the product of the base rate specified in subsection (a) of this section multiplied by the amount of sugar and liquid sugar, raw value, with respect to which payment is to be made, except that reductions shall be made from such total payment in accordance with the following scale of reductions:

Scale of reductions.

That portion of the quantity of sugar and liquid sugar which is included within the following intervals of short tons, raw value:	Reduction in the base rate of payment per hundred weight of such portion
500 to 1,500.....	\$0. 050
1,500 to 6,000.....	. 075
6,000 to 12,000.....	. 100
12,000 to 30,000.....	. 125
More than 30,000.....	. 300



Payments.	(d) Application for payment shall be made by, and payments shall be made to, the producer or, in the event of his death, disappearance, or incompetency, his legal representative, or heirs: <i>Provided, however,</i> That all producers on the farm shall signify in the application for payment the per centum of the total payment with respect to the farm to be made to each producer: <i>And provided further,</i> That payments may be made, (1) in the event of the death, disappearance, or incompetency of a producer, to such beneficiary as the producer may designate in the application for payment; (2) to one producer of a group of two or more producers, provided all producers on the farm designate such producer in the application for payment as sole recipient for their benefit of the payment with respect to the farm; or (3) to a person who is not a producer, provided such person controls the land included within the farm with respect to which the application for payment is made and is designated by the sole producer (or all producers) on the farm, as sole recipient for his or their benefit, of the payment with respect to the farm.
<i>Proviso.</i> Per centum of total to be stated.	
Payments in event of death, etc.	
To one producer in a group.	
Nonproducer.	
Utilization of local committees, etc.	SEC. 305. In carrying out the provisions of titles II and III of this Act, the Secretary is authorized to utilize local committees of sugar beet or sugarcane producers, State and county agricultural conservation committees, or the Agricultural Extension Service and other agencies, and the Secretary may prescribe that all or a part of the expenses of such committees may be deducted from the payments herein authorized.
Incurred expenses.	SEC. 306. The facts constituting the basis for any payment, or the amount thereof authorized to be made under this title, officially determined in conformity with rules or regulations prescribed by the Secretary, shall be reviewable only by the Secretary, and his determinations with respect thereto shall be final and conclusive.
Basis for payment; review.	SEC. 307. This title shall apply to the continental United States, the Territory of Hawaii, and Puerto Rico.
Application of title.	

Title IV—Excise taxes with respect to sugar.

## TITLE IV—EXCISE TAXES WITH RESPECT TO SUGAR

### DEFINITIONS

Definitions.	SEC. 401. For the purposes of this title—
"Person."	(a) The term "person" means an individual, partnership, corporation, or association.
"Manufactured sugar."	(b) The term "manufactured sugar" means any sugar derived from sugar beets or sugarcane, which is not to be, and which shall not be, further refined or otherwise improved in quality; except sugar in liquid form which contains nonsugar solids (excluding any foreign substance that may have been added) equal to more than 6 per centum of the total soluble solids, and except also sirup of cane juice produced from sugarcane grown in continental United States.
Grades or types.	The grades or types of sugar within the meaning of this definition shall include, but shall not be limited to, granulated sugar, lump sugar, cube sugar, powdered sugar, sugar in the form of blocks, cones, or molded shapes, confectioners' sugar, washed sugar, centrifugal sugar, clarified sugar, turbinado sugar, plantation white sugar, muscovado sugar, refiners' soft sugar, invert sugar mush, raw sugar, sirups, molasses, and sugar mixtures.
"Total sugars."	(c) The term "total sugars" means the total amount of the sucrose (Clerget) and of the reducing or invert sugars. The total sugars contained in any grade or type of manufactured sugar shall be ascertained in the manner prescribed in paragraphs 758, 759, 762, and 763 of the United States Customs Regulations (1931 edition).
"United States."	(d) The term "United States" shall be deemed to include the States, the Territories of Hawaii and Alaska, the District of Columbia, and Puerto Rico.

## TAX ON THE MANUFACTURE OF SUGAR

SEC. 402. (a) Upon manufactured sugar manufactured in the United States, there shall be levied, collected and paid a tax, to be paid by the manufacturer at the following rates:

Tax on manufacture of sugar.

(1) On all manufactured sugar testing by the polariscope ninety-two sugar degrees, 0.465 cent per pound, and for each additional sugar degree shown by the polariscopic test, 0.00875 cent per pound additional, and fractions of a degree in proportion;

Rates.

(2) On all manufactured sugar testing by the polariscope less than ninety-two sugar degrees, 0.5144 cent per pound of the total sugars therein.

(b) Any person who acquires any sugar which is to be manufactured into manufactured sugar but who, without further refining or otherwise improving it in quality, sells such sugar as manufactured sugar or uses such sugar as manufactured sugar in the production of other articles for sale shall be considered for the purposes of this section the manufacturer of manufactured sugar and, as such, liable for the tax hereunder with respect thereto.

Sugar sold or used as manufactured sugar, tax.

(c) The manufacturer shall file on the last day of each month a return and pay the tax with respect to manufactured sugar manufactured after the effective date of this title (1) which has been sold, or used in the production of other articles, by the manufacturer during the preceding month (if the tax has not already been paid) and (2) which has not been so sold or used within twelve months ending during the preceding calendar month, after it was manufactured (if the tax has not already been paid): *Provided*, That the first return and payment of the tax shall not be due until the last day of the second month following the month in which this title takes effect.

Monthly returns and tax payments.

For the purpose of determining whether sugar has been sold or used within twelve months after it was manufactured sugar shall be considered to have been sold or used in the order in which it was manufactured.

Proviso. First return and payment.

Order of sale or use.

(d) No tax shall be required to be paid upon the manufacture of manufactured sugar by, or for, the producer of the sugar beets or sugarcane from which such manufactured sugar was derived, for consumption by the producer's own family, employees, or household.

No tax on producer's personal, etc., consumption.

## IMPORT COMPENSATING TAX

SEC. 403. (a) In addition to any other tax or duty imposed by law, there shall be imposed, under such regulations as the Commissioner of Customs shall prescribe, with the approval of the Secretary of the Treasury, a tax upon articles imported or brought into the United States as follows:

Import compensating tax.

Tax on imports.

(1) On all manufactured sugar testing by the polariscope ninety-two sugar degrees, 0.465 cent per pound, and for each additional sugar degree shown by the polariscopic test, 0.00875 cent per pound additional, and fractions of a degree in proportion;

Rates.

(2) On all manufactured sugar testing by the polariscope less than ninety-two sugar degrees 0.5144 cent per pound of the total sugars therein;

(3) On all articles composed in chief value of manufactured sugar 0.5144 cent per pound of the total sugars therein.

(b) Such tax shall be levied, assessed, collected, and paid in the same manner as a duty imposed by the Tariff Act of 1930, and shall be treated for the purposes of all provisions of law relating to the

Collection, etc.  
46 Stat. 500.

**Exceptions.**

46 Stat. 701; 48 Stat.  
943.  
19 U. S. C. §§ 1336,  
1251.

customs revenue as a duty imposed by such Act, except that for the purposes of sections 336 and 350 of such Act (the so-called flexible-tariff and trade-agreements provisions) such tax shall not be considered a duty or import restriction, and except that no preference with respect to such tax shall be accorded any articles imported or brought into the United States.

**EXPORTATION, LIVESTOCK FEED, AND DISTILLATION****Exportation provisions.**

*Ante*, p. 912.

*Provided.*  
Drawbacks.

*Ante*, p. 912.

**Livestock feed; distillation.****Filing claim.**

SEC. 404. (a) Upon the exportation from the United States to a foreign country, or the shipment from the United States to any possession of the United States except Puerto Rico, of any manufactured sugar, or any article manufactured wholly or partly from manufactured sugar, with respect to which tax under the provisions of section 402 has been paid, the amount of such tax shall be paid by the Commissioner of Internal Revenue to the consignor named in the bill of lading under which the article was exported or shipped to a possession, or to the shipper, if the consignor waives any claim thereto in favor of such shipper: *Provided*, That no such payment shall be allowed with respect to any manufactured sugar, or article, upon which, through substitution or otherwise, a drawback of any tax paid under section 403 has been or is to be claimed under any provisions of law made applicable by section 403.

(b) Upon the use of any manufactured sugar, or article manufactured therefrom, as livestock feed, or in the production of livestock feed, or for the distillation of alcohol, there shall be paid by the Commissioner of Internal Revenue to the person so using such manufactured sugar, or article manufactured therefrom, the amount of any tax paid under section 402 with respect thereto.

(c) No payment shall be allowed under this section unless within one year after the right to such payment has accrued a claim therefor is filed by the person entitled thereto.

**Collection of taxes.****COLLECTION OF TAXES****Internal Revenue Bureau.**

Existing provisions  
applicable.  
47 Stat. 269.

**Rules and regulations.****Place of tax payment.**

SEC. 405. (a) Except as otherwise provided, the taxes imposed by this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury. Such taxes shall be paid into the Treasury of the United States.

(b) All provisions of law, including penalties, applicable with respect to the taxes imposed under title IV of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable in respect to the tax imposed by section 402. If the tax is not paid when due there shall be added as part of the tax interest at 6 per centum per annum from the date the tax became due until the date of payment.

(c) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe such rules and regulations as may be necessary to carry out all provisions of this title except section 403.

(d) Any person required, pursuant to the provisions of section 402, to file a return may be required to file such return with and pay the tax shown to be due thereon to the collector of internal revenue for the district in which the manufacturing was done or the liability incurred.

**EFFECTIVE DATE****Effective date.**

SEC. 406. The provisions of this title shall become effective on the date of enactment of this Act.

## TITLE V—GENERAL PROVISIONS

Title V—General provisions.

SEC. 501. For the purposes of this Act, except title IV, the Secretary shall—

(a) Appoint and fix the compensation of such officers and employees as he may deem necessary in administering the provisions of this Act: *Provided*, That all such officers and employees, except attorneys, economists, experts, and persons in the employ of the Department of Agriculture on the date of the enactment of this Act, shall be subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended: *And provided further*, That no salary in excess of \$10,000 per annum shall be paid to any such person.

(b) Make such expenditures as he deems necessary to carry out the provisions of this Act, including personal services and rents in the District of Columbia and elsewhere, traveling expenses (including the purchase, maintenance, and repair of passenger-carrying vehicles), supplies and equipment, law books, books of reference, directories, periodicals, and newspapers.

SEC. 502. (a) There is hereby authorized to be appropriated for each fiscal year for the purposes and administration of this Act, except for allotments in the Philippine Islands as provided in subsection (g) of section 205, a sum not to exceed \$55,000,000.

(b) All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal Government as the Secretary may request to cooperate or assist in carrying out the provisions of this Act.

SEC. 503. There is authorized to be appropriated an amount equal to the amount of the taxes collected or accrued under title IV on sugars produced from sugarcane grown in the Commonwealth of the Philippine Islands which are manufactured in or brought into the United States on or prior to June 30, 1941, minus the costs of collecting such taxes and the estimates of amounts of refunds required to be made with respect to such taxes, for transfer to the Government of the Commonwealth of the Philippines for the purpose of financing a program of economic adjustment in the Philippines, the transfer to be made under such terms and conditions as the President of the United States may prescribe: *Provided*, That no part of the appropriations herein authorized shall be paid directly or indirectly for the production or processing of sugarcane in the Philippine Islands.

SEC. 504. The Secretary is authorized to make such orders or regulations, which shall have the force and effect of law, as may be necessary to carry out the powers vested in him by this Act. Any person knowingly violating any order or regulation of the Secretary issued pursuant to this Act shall, upon conviction, be punished by a fine of not more than \$100 for each such violation.

SEC. 505. The several district courts of the United States are hereby vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, the provisions of this Act or of any order or regulation made or issued pursuant to this Act. If and when the Secretary shall so request, it shall be the duty of the several district attorneys of the United States, in their respective districts, to institute proceedings to enforce the remedies and to collect the penalties and forfeitures provided for in this Act. The remedies provided for in this Act shall be in addition to, and not exclusive of, any of the remedies or penalties existing at law or in equity.

SEC. 506. Any person who knowingly violates, or attempts to violate, or who knowingly participates or aids in the violation of, any

Personal services.

*Proviso.*  
Subject to Civil Service, etc., laws; exceptions.  
5 U. S. C. §§ 631-652, 661-674.

Salary limitation.

Expenditures authorized.

Annual appropriations authorized.  
*Ante*, p. 762.  
*Ante*, p. 907.

Allotment of funds.

Philippine Islands, payment to.

Use of funds for economic adjustment.

*Proviso.*  
Restriction.

Administrative orders, etc.; penalty for violation.

District courts, jurisdiction over violations, etc.

Penalty provisions.

of the provisions of section 209, or any person who brings or imports into the continental United States direct-consumption sugar after the quantities specified in section 207 have been filled, shall forfeit to the United States the sum equal to three times the market value, at the time of the commission of any such, (a) of that quantity of sugar or liquid sugar by which any quota, proration, or allotment is exceeded, or (b) of that quantity brought or imported into the continental United States after the quantities specified in section 207 have been filled, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.

Information, penalty for willful failure to furnish.

SEC. 507. All persons engaged in the manufacturing, marketing, or transportation of sugar or liquid sugar, and having information which the Secretary deems necessary to enable him to administer the provisions of this Act, shall, upon the request of the Secretary, furnish him with such information. Any person willfully failing or refusing to furnish such information, or furnishing willfully any false information, shall upon conviction be subject to a penalty of not more than \$1,000 for each such violation.

Speculation, etc., restriction.

SEC. 508. No person shall, while acting in any official capacity in the administration of this Act, invest or speculate in sugar or liquid sugar, contracts relating thereto, or the stock or membership interests of any association or corporation engaged in the production or manufacturing of sugar or liquid sugar. Any person violating this section shall upon conviction thereof be fined not more than \$10,000 or imprisoned not more than two years, or both.

Penalty.

Suspension of operation, etc., in national emergency.

SEC. 509. Whenever the President finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar, he shall by proclamation suspend the operation of title II or III above, which he determines, on the basis of such findings, should be suspended, and, thereafter, the operation of any such title shall continue in suspense until the President finds and proclaims that the facts which occasioned such suspension no longer exist. The Secretary shall make such investigations and reports thereon to the President as may be necessary to aid him in carrying out the provisions of this section.

Designated legislation not applicable.

SEC. 510. The provisions of the Agricultural Adjustment Act, as amended, shall cease to apply to sugar upon the enactment of this Act, and the provisions of Public Resolution Numbered 109, Seventy-fourth Congress, approved June 19, 1936, are hereby repealed.

49 Stat. 1539.  
7 U. S. C., Supp. II,  
§ 612a, 608a-1.  
Investigations, etc., authorized.

SEC. 511. In order to facilitate the effectuation of the purposes of this Act, the Secretary is authorized to make surveys, investigations, including the holding of public hearings, and to make recommendations with respect to (a) the terms and conditions of contracts between the producers and processors of sugar beets and sugarcane and (b) the terms and conditions of contracts between laborers and producers of sugar beets and sugarcane.

Research and publication of information.

SEC. 512. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting the methods of accomplishing most effectively the purposes of this Act and for the benefit of agriculture generally in any area. Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

Termination of tax, etc.

SEC. 513. No tax shall be imposed on the manufacture, use, or importation of sugar after June 30, 1941, and the powers vested in the Secretary under this Act shall terminate on December 31, 1940, except that the Secretary shall have power to make payments under title III under programs applicable to the crop year 1940 and previous crop years.

Payments under applicable programs.

Approved, September 1, 1937.

## [CHAPTER 899]

## AN ACT

To provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes.

September 2, 1937  
[S. 2670]  
[Public, No. 415]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized to cooperate with the States, through their respective State fish and game departments, in wildlife-restoration projects as hereinafter set forth; but no money apportioned under this Act to any State shall be expended therein until its legislature, or other State agency authorized by the State constitution to make laws governing the conservation of wildlife, shall have assented to the provision of this Act and shall have passed laws for the conservation of wildlife which shall include a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of said State fish and game department, except that, until the final adjournment of the first regular session of the legislature held after the passage of this Act, the assent of the Governor of the State shall be sufficient. The Secretary of Agriculture and the State fish and game department of each State accepting the benefits of this Act shall agree upon the wildlife-restoration projects to be aided in such State under the terms of this Act and all projects shall conform to the standards fixed by the Secretary of Agriculture.

Wildlife-restoration projects.  
Federal cooperation through State game, etc., departments.  
Assent, etc., of State.

Agreement to terms.

SEC. 2. For the purposes of this Act the term "wildlife-restoration project" shall be construed to mean and include the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects; the term "State fish and game department" shall be construed to mean and include any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department.

"Wildlife-restoration project" defined.

"State fish and game department."

SEC. 3. An amount equal to the revenue accruing during the fiscal year ending June 30, 1939, and each fiscal year thereafter, from the tax imposed by section 610, title IV, of the Revenue Act of 1932 (47 Stat. 169), as heretofore or hereafter extended and amended, on firearms, shells, and cartridges, is hereby authorized to be set apart in the Treasury as a special fund to be known as "The Federal aid to wildlife-restoration fund" and is hereby authorized to be appropriated and made available until expended for the purposes of this Act. So much of such appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof is authorized to be made available for expenditure in that State until the close of the succeeding fiscal year. Any amount apportioned to any State under the provisions of this Act which is unexpended or unobligated at the end of the period during which it is available for expenditure on any project is authorized to be made available for expenditure by the Secretary of Agriculture in carrying out the provisions of the Migratory Bird Conservation Act.

"The Federal aid to wildlife-restoration fund" set apart.  
47 Stat. 264.

Availability.

Use of balances.

16 U. S. C. §§ 715-715c.

Administrative expenses.

Apportionment of balance.

*Proviso.*  
Maximum State apportionment.  
Provision where apportionment less than \$15,000.

Certification of estimate for administrative expenses.

State acceptance.

Statements to be furnished.

*Proviso.*  
Approval.

SEC. 4. So much, not to exceed 8 per centum, of the revenue covered into said fund in each fiscal year as the Secretary of Agriculture may estimate to be necessary for his expenses in the administration and execution of this Act and the Migratory Bird Conservation Act shall be deducted for that purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year, and within sixty days after the close of such fiscal year the Secretary of Agriculture shall apportion such part thereof as remains unexpended by him, if any, and make certificate thereof to the Secretary of the Treasury and to the State fish and game departments on the same basis and in the same manner as is provided as to other amounts authorized by this Act to be apportioned among the States for such current fiscal year. The Secretary of Agriculture, after making the aforesaid deduction, shall apportion the remainder of the revenues in said fund for each fiscal year among the several States in the following manner, that is to say, one-half in the ratio which the area of each State bears to the total area of all the States and one-half in the ratio which the number of paid hunting-license holders of each State in the preceding fiscal year, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States: *Provided*, That the apportionment for any one State shall not exceed the sum of \$150,000 annually: *Provided further*, That where the apportionment to any State under this section is less than \$15,000 annually, the Secretary of Agriculture may allocate not more than \$15,000 of said fund to said State to carry out the purposes of this Act when said State certifies to the Secretary of Agriculture that it has set aside not less than \$5,000 from its fish and game funds or has made, through its legislature, an appropriation in this amount, for said purposes.

SEC. 5. Within sixty days after the approval of this Act the Secretary of Agriculture shall certify to the Secretary of the Treasury and to each State fish and game department the sum which he has estimated to be deducted for administering and executing this Act and the Migratory Bird Conservation Act and the sum which he has apportioned to each State for the fiscal year ending June 30, 1939, and on or before February 20 next preceding the commencement of each succeeding fiscal year shall make like certificates for such fiscal year. Any State desiring to avail itself of the benefits of this Act shall notify the Secretary of Agriculture to this effect within sixty days after it has received the certification referred to in this section. The sum apportioned to any State which fails to notify the Secretary of Agriculture as herein provided is authorized to be made available for expenditure by the Secretary of Agriculture in carrying out the provisions of the Migratory Bird Conservation Act.

SEC. 6. Any State desiring to avail itself of the benefits of this Act shall by its State fish and game department submit to the Secretary of Agriculture full and detailed statements of any wildlife-restoration project proposed for that State. If the Secretary of Agriculture finds that such project meets with the standards set up by him and approves said project, the State fish and game department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require: *Provided, however*, That the Secretary of Agriculture shall approve only such projects as may be substantial in character and design and the expenditure of funds hereby authorized shall be applied only to such approved projects and if otherwise applied they shall be replaced by the State before it may participate in any further apportionment under this Act.

Items included for engineering, inspection, and unforeseen contingencies in connection with any works to be constructed shall not exceed 10 per centum of the cost of such works and shall be paid by the State as a part of its contribution to the total cost of such works. If the Secretary of Agriculture approves the plans, specifications, and estimates for the project, he shall notify the State fish and game department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside so much of said fund as represents the share of the United States payable under this Act on account of such project, which sum so set aside shall not exceed 75 per centum of the total estimated cost thereof. No payment of any money apportioned under this Act shall be made on any project until such statement of the project and the plans, specifications, and estimates thereof shall have been submitted to and approved by the Secretary of Agriculture.

SEC. 7. When the Secretary of Agriculture shall find that any project approved by him has been completed or, if involving research relating to wildlife, is being conducted, in compliance with said plans and specifications, he shall cause to be paid to the proper authority of said State the amount set aside for said project: *Provided, That* the Secretary of Agriculture may, in his discretion, from time to time, make payments on said project as the same progresses; but these payments, including previous payments, if any, shall not be more than the United States' pro-rata share of the project in conformity with said plans and specifications. Any construction work and labor in each State shall be performed in accordance with its laws and under the direct supervision of the State fish and game department, subject to the inspection and approval of the Secretary of Agriculture and in accordance with rules and regulations made pursuant to this Act. The Secretary of Agriculture and the State fish and game department of each State may jointly determine at what times and in what amounts payments, as work progresses, shall be made under this Act. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture against the said fund to such official or officials, or depository, as may be designated by the State fish and game department and authorized under the laws of the State to receive public funds of the State.

SEC. 8. To maintain wildlife-restoration projects established under the provisions of this Act shall be the duty of the States according to their respective laws.

SEC. 9. Out of the deductions set aside for administering and executing this Act and the Migratory Bird Conservation Act, the Secretary of Agriculture is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service; to rent or construct buildings outside of the city of Washington; to purchase such supplies, materials, equipment, office fixtures, and apparatus; and to incur such travel and other expenses, including purchase, maintenance, and hire of passenger-carrying motor vehicles, as he may deem necessary for carrying out the purposes of this Act.

SEC. 10. The Secretary of Agriculture is authorized to make rules and regulations for carrying out the provisions of this Act.

SEC. 11. The Secretary of Agriculture shall make an annual report to the Congress of the sum set apart in "The Federal aid to wildlife restoration fund", giving detailed information as to the projects and expenditures therefor.

Approved, September 2, 1937.

Limitation.

Notice of approval.

Allocations.

Restriction on payments.

Payments on approved completed projects.

*Proviso.*  
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*U. S. Statutes at Large*

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE FIRST SESSION OF THE  
SEVENTY-FIFTH CONGRESS  
OF THE UNITED STATES OF AMERICA

1937

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER  
THAN TREATIES, AND PROCLAMATIONS

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COMPILED, EDITED, AND INDEXED BY AUTHORITY OF CONGRESS  
UNDER THE DIRECTION OF THE SECRETARY OF STATE

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IN TWO PARTS

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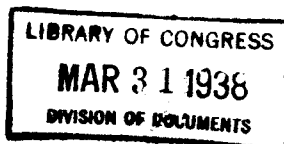
AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE FIFTH DAY OF JANUARY,  
ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

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# PRIVATE LAWS

# PRIVATE LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-FIFTH CONGRESS

OF THE

UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Tuesday, January 5, 1937, and adjourned without day on Saturday, August 21, 1937*

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore*; WILLIAM B. BANKHEAD, Speaker of the House of Representatives; LINDSAY C. WARREN, Speaker of the House of Representatives *pro tempore*, May 24–June 1, 1937.

[CHAPTER 3]

## AN ACT

Granting a pension to Grace G. Coolidge.

January 14, 1937

[S. 591]

[Private, No. 1]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of Veterans' Affairs is authorized and directed to place on the pension rolls the name of Grace G. Coolidge, widow of Calvin Coolidge, late a President of the United States, and to pay her a pension at the rate of \$5,000 per annum.

Grace G. Coolidge.  
Pension granted to.

Approved, January 14, 1937.

[CHAPTER 14]

## AN ACT

For the relief of Ralph C. Irwin.

February 23, 1937

[H. R. 3112]

[Private, No. 2]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the appointment of Ralph C. Irwin as regular village letter carrier at Brea, California, on the 16th day of March 1929, shall hereafter be held to have been regularly and duly made as of that date and he shall be entitled to compensation from that date in accordance with the laws and postal regulations governing appointments and promotions for length of service.

Ralph C. Irwin.  
Postal service record  
corrected.

Approved, February 23, 1937.

[CHAPTER 23]

## AN ACT

For the relief of James Luker, Senior.

March 1, 1937

[H. R. 824]

[Private, No. 3]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation of the Navy Department for awards of six

James Luker, Senior.  
Navy gratuity pay  
to, for death of son.

months' gratuity to beneficiaries of deceased enlisted men of the Navy, to James Luker, Senior, father of George De Witt Luker, late an enlisted man in the Navy, who was killed as a result of a powder explosion on board the United States ship Trenton on October 22, 1924, the sum of \$324, being a gratuity equal to six months' pay at the rate received by George De Witt Luker at the time of his death: *Provided*, That James Luker, Senior, shall first establish to the satisfaction of the Secretary of the Navy that he was actually dependent upon said George De Witt Luker at the time of the latter's death.

Approved, March 1, 1937.

*Proriso.*  
Dependence to be  
established.

[CHAPTER 30]

AN ACT

March 5, 1937

[S. 84]

[Private, No. 4]

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Ralph Charles Stuart.

Dr. Ralph Charles  
Stuart.

License to practice  
the healing art in the  
District of Columbia  
granted to.

45 Stat. 1334.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is hereby authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Ralph Charles Stuart, of Sangerville, Maine, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Approved, March 5, 1937.

[CHAPTER 31]

AN ACT

March 5, 1937

[S. 989]

[Private, No. 5]

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Clarence Quinton Pair.

Dr. Clarence Quinton  
Pair.

License to practice  
the healing art in the  
District of Columbia  
granted to.

45 Stat. 1334.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission of Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Clarence Q. Pair, Washington, District of Columbia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Approved, March 5, 1937.

[CHAPTER 37]

AN ACT

March 10, 1937

[H. R. 2772]

[Private, No. 6]

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Army.  
Credit allowed in  
accounts of designated  
disbursing officers, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite

their names: Captain Bigelow B. Barbee, Finance Department, \$30; Major Stephen R. Beard, Finance Department, \$30; Captain George W. Brent, Coast Artillery, \$25; Major Richard L. Cave, Finance Department, \$64; Major Walter D. Dabney, Finance Department, \$92.30; Major Edmund W. McLarren, Finance Department, \$30; Captain Leighton N. Smith, Finance Department, \$45; Major Arthur O. Walsh, Finance Department, \$25; and Captain Hugh Whitt, Finance Department, \$25, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, who are no longer enrolled in that corps, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

*Proviso.*  
Accountability.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain William H. Buechner, Tenth Infantry, the sum of \$49, representing refundments of overpayments made allottees of Civilian Conservation Corps enrollees, the collection of which amount cannot be effected from the persons to whom such erroneous payments have been made: *Provided*, That no part of this amount shall be charged to any person other than the payees.

Captain William H.  
Buechner.  
Payment to.

*Proviso.*  
Accountability.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major John B. Harper, Finance Department, the sum of \$1,509.59, public funds for which he is accountable and which represent items disallowed by the Comptroller General of the United States.

Major John B. Har-  
per.  
Credit allowed in  
accounts of.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Albert J. Leavitt, Engineer Reserve, the sum of \$67.48, or so much of said sum as shall have been collected from him prior to the approval of this Act, representing refundment of Government funds which were stolen from his Civilian Conservation Corps company safe on April 18-19, 1936: *Provided*, That no part of this amount shall be charged to any person other than the person committing said theft.

Captain Albert J.  
Leavitt.  
Payment to.

*Proviso.*  
Accountability.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Richard Lee, Corps of Engineers, the sum of \$583.69, public funds for which he is accountable and which were paid by him to the Memphis Packet Company for freight shipments by water, and which amount has been disallowed by the Comptroller General of the United States.

Captain Richard  
Lee.  
Credit allowed in  
accounts of.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Charles Lewis, Finance Department, the sum of \$295.38, public funds for which he is accountable and which were paid by him on fraudulent vouchers prepared by an employee of the finance office at Fort Benjamin Harrison, Indiana.

Major Charles  
Lewis.  
Credit allowed in  
accounts of.

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Elbert W. Martin, Field Artillery Reserve, the sum of \$45.68, public funds for which he is accountable and which were destroyed by fire on the night of November 15-16, 1935, and which sum he has refunded to the United States.

Captain Elbert W.  
Martin.  
Payment to.

Major Frank E. Parker.  
Credit allowed in accounts of.

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Frank E. Parker, Finance Department, the sum of \$4,449.80, public money for which he is accountable and which has been disallowed in his accounts by the Comptroller General of the United States on account of payments made to emergency nurses on duty with the Civilian Conservation Corps during the period November 1933 to August 31, 1935, in compliance with the Executive order of the President dated May 8, 1933.

Captain Alexander H. Perwein.  
Credit allowed in accounts of.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lieutenant (now Captain) Alexander H. Perwein, Finance Department, the sum of \$2,038, public money for which he is accountable and which was paid in error to Civilian Conservation Corps enrollees on properly certified vouchers for the month of September 1933, and which amount has been disallowed in his accounts by the Comptroller General: *Provided*, That no part of the amount so credited shall be charged to any person other than the various payees: *Provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain C. McL. Lott, United States Marine Corps, so much of said sum as shall have been collected from him prior to the approval of this Act.

*Provisos.*  
Accountability.

Captain C. McL. Lott, payment to.

Limitation on attorney's, etc., fees.

Penalty for violation.

SEC. 10. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 10, 1937.

# [CHAPTER 38]

## AN ACT

For the relief of Lewis Clark and Freda Mason.

March 11, 1937

[H. R. 911]

[Private, No. 7]

Lewis Clark and Freda Mason.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lewis Clark and Freda Mason, of Bayard, West Virginia, the sums of \$89 and \$65, respectively; in all, \$154, in full satisfaction of their claims against the United States for the destruction of a safe and for the use of a bloodhound in the apprehension of suspects, resulting from the burglary of the post office at Bayard, West Virginia, on January 25, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 11, 1937.

## [CHAPTER 39]

## AN ACT

For the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert and Flume Company; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell.

March 11, 1937  
[H. R. 1120]  
[Private, No. 8]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the following claims of creditors who furnished services or supplies to E. M. Harris and Sons, Sugar City, Colorado, under their contract, Als-3951, dated July 18, 1929, for the construction of the Blue Lake Road, extension numbered 584, within the San Isabel National Forest, Huerfano County, Colorado, and who were prevented from bringing a timely suit under the provisions of the Act of August 13, 1894, as amended (33 Stat. 811), against the surety of said E. M. Harris and Sons, after their default in the performance of said contract, by the Government's failure to notify them of the final settlement date of said contract:

Arthur and Allen,  
and others.  
Adjustment of  
claims authorized.

33 Stat. 811.

(1) Fields B. Arthur and Arthur L. Allen, copartners, doing business as Arthur and Allen, in a sum not exceeding \$1,004.67;

(2) Colorado Culvert and Flume Company, in a sum not exceeding \$596.51;

(3) Glen Haller, in a sum not exceeding \$247.60;

(4) Kenneth Austin, in a sum not exceeding \$110;

(5) A. B. Hoffman, in a sum not exceeding \$66.35;

(6) J. W. Jones, in a sum not exceeding \$43; and

(7) Lloyd Lasswell, in a sum not exceeding \$22.

Sec. 2. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$2,090.13, or so much thereof as may be necessary to pay said claims.

Appropriation.

Sec. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

Approved, March 11, 1937.

## [CHAPTER 42]

## AN ACT

For the relief of Edna M. Callahan and Anna Scott.

March 15, 1937  
[H. R. 601]  
[Private, No. 9]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edna M. Callahan the sum of \$3,500 and to Anna Scott the sum of \$1,500. Such sums shall be in full settlement of all claims against the United States on account of injuries sustained by the said Edna M. Callahan and Anna Scott on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between the Fifth Street Landing at San Pedro, California, and the United States ship Relief, lying in the harbor of San Pedro, at San Pedro, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum

Edna M. Callahan  
and Anna Scott.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.



Penalty for viola-  
tion.

of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 15, 1937.

[CHAPTER 44]

AN ACT

For the relief of Brook House, Limited, of Sydney, Australia.

March 17, 1937  
[H. R. 1097]  
[Private, No. 10]

Brook House, Lim-  
ited.  
Payment to.

Fund available.

47 Stat. 1458.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture be, and he is hereby, authorized and directed to pay to Brook House, Limited, of Sydney, Australia, a sum equivalent at the rate of exchange current at the time of payment to 101 pounds, 8 shillings, Australian currency, in full settlement of its claim against the United States on account of rental of space for the period of July 1 to December 31, 1933, inclusive, in connection with a lease of quarters to the agricultural commissioner of the United States at Sydney, New South Wales, Australia, said lease dated April 17, 1931, and there is hereby reappropriated for the purposes of this Act so much of the unexpended balance as may be necessary, of the appropriation "34303—Salaries and expenses, Bureau of Agricultural Economics, 1934", which has heretofore been covered into the surplus fund of the Treasury.

Approved, March 17, 1937.

[CHAPTER 45]

AN ACT

For the relief of William L. Jenkins.

March 18, 1937  
[H. R. 1098]  
[Private, No. 11]

William L. Jenkins.  
Payment to.

46 Stat. 886.

40 Stat. 2056.

Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$481.50 to William L. Jenkins, formerly American consul at Trebizond, Turkey, in full settlement of his claim against the United States for his failure to receive a like amount appropriated for his relief in Public Law Numbered 519, approved July 3, 1930 (46 Stat. 886), such sum representing the value of personal property lost by him during 1919 as a result of civil disturbances at Trebizond, and which sum was used by the General Accounting Office as a set-off against his then-existing indebtedness to the United States in the amount of \$2,000, but subsequently credited to his accounts by authority of Private Law Numbered 30, approved May 8, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 18, 1937.

## [CHAPTER 52]

## AN ACT

For the relief of Michael E. Sullivan.

March 24, 1937  
[H. R. 1096]  
[Private, No. 12]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Michael E. Sullivan, postmaster at Park Ridge, Illinois, with the sum of \$14,679.29, representing the amount of public funds and property lost in the burglary of the post office at Park Ridge, Illinois, on March 6, 1935, such loss having resulted from no fault or negligence on the part of said postmaster, as determined by the Postmaster General under a provision in title 39, United States Code, section 49.

Michael E. Sullivan.  
Credit in postal accounts.

39 U. S. C. § 49.

Approved, March 24, 1937.

## [CHAPTER 54]

## AN ACT

For the relief of the estate of Letha F. McCubbin, the estate of Mary B. Hodge, and the estate of Walter H. Mansfield.

March 27, 1937  
[H. R. 328]  
[Private, No. 13]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to credit the account of Letha F. McCubbin, deceased, former postmaster at Eve, Kentucky, with \$90.58, being part of the amount retained from postal receipts by Brown McCubbin as compensation for his voluntary services in acting as postmaster at that post office from April 10 to June 6, 1933, inclusive.

Letha F. McCubbin (deceased).  
Credit in postal account.

SEC. 2. That the Comptroller General is hereby authorized and directed to credit the account of Mary B. Hodge, deceased, former postmaster at Place, Kentucky, with \$48.69, being the amount retained from postal receipts by Maude Hodge as compensation for her voluntary services in acting as postmaster at that post office from January 10 to April 4, 1934, inclusive.

Mary B. Hodge (deceased).  
Credit in postal account.

SEC. 3. That the Comptroller General is hereby authorized and directed to credit the account of Walter H. Mansfield, deceased, former postmaster at Logan, Oklahoma, with \$164.33, being the amount retained from postal receipts by Ben F. Morris as compensation for his voluntary services in acting as postmaster at that post office from November 7, 1933 to January 9, 1934, inclusive.

Walter H. Mansfield (deceased).  
Credit in postal account.

Approved, March 27, 1937.

## [CHAPTER 55]

## AN ACT

For the relief of John Munroe.

March 27, 1937  
[H. R. 1231]  
[Private, No. 14]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to John Munroe, of Crary, North Dakota, in full satisfaction of his claim against the United States for permanent injuries sustained between November 22 and 30, 1933, while being moved from Devils Lake to Fargo, North Dakota, and return, to attend the United States district court as a necessary and material witness in the case of United States against Goldie Nolan, who was convicted largely on the testimony of the said John Munroe: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per

John Munroe.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, March 27, 1937.

[CHAPTER 56]

AN ACT

For the relief of John Edgar White, a minor.

March 27, 1937  
[H. R. 3067]  
[Private, No. 15]

John Edgar White.  
Payment to guardian of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Thomas B. White, father, as natural guardian for John Edgar White, minor, in full settlement of all claims against the United States for personal injuries to said minor's left leg by burning and for medical charges incurred as a result of said injuries occasioned by the said minor stepping into soft dirt which covered a steam line in process of repair in the vicinity of ward 21 in the Walter Reed Hospital grounds, Washington, District of Columbia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 27, 1937.

[CHAPTER 57]

AN ACT

For the relief of Bertha M. Harris.

March 27, 1937  
[H. R. 3201]  
[Private, No. 16]

Bertha M. Harris.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha M. Harris in full settlement of all claims against the Government of the United States, the sum of \$431.98 representing salary earned by Bertha M. Harris who acted as postmistress at Windfall, Indiana, from September 14 to December 30, 1932, both dates inclusive: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 27, 1937.

[CHAPTER 62]

AN ACT

For the relief of C. C. Young.

March 31, 1937  
[H. R. 448]  
[Private, No. 17]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Young, of Pulaski County, Arkansas, the sum of \$3,500, in full satisfaction of his claim against the United States for the death of his minor son, Adriel Young, who was killed on September 15, 1932, from the explosion of a thirty-seven millimeter shell, which had previously been picked up and carried from Camp Pike Reservation, Arkansas, by Alpha Vint, a minor: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

C. C. Young.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

Approved, March 31, 1937.

[CHAPTER 63]

AN ACT

For the relief of Captain J. H. Merriam, Supply Corps, United States Navy.

March 31, 1937  
[H. R. 1091]  
[Private, No. 18]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Captain J. H. Merriam, Supply Corps, United States Navy, with the sum of \$734.42, representing payments made by him to Thomas Cook and Son, Limited, of Shanghai, China, for the cost of transportation furnished Lieutenant (Junior Grade) Malcolm A. Hufty, United States Navy, and Lieutenant (Junior Grade) Lewis R. Miller, United States Navy, in accordance with orders issued to these two officers by the commander in chief, United States Asiatic Fleet, which payments were disallowed by the Comptroller General.

Captain J. H. Mer-  
riam, Navy.  
Credit in accounts.

Approved, March 31, 1937.

[CHAPTER 65]

AN ACT

For the relief of Clark F. Potts and Charles H. Barker.

April 1, 1937  
[H. R. 1094]  
[Private, No. 19]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clark F. Potts, chief boatswain's mate (L), United States Coast Guard, the sum of \$150.26, and to Charles H. Barker, surfman, United States Coast Guard, the sum of \$125.73, in all \$275.99, in full settlement of their claims against the United States for loss or destruction of, or damage to, personal property and effects as a result of the fire which occurred at the Big Sandy Coast Guard Station, Woodville, New York, on November 3, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection

Clark F. Potts and  
Charles H. Barker.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 1, 1937.

[CHAPTER 66]

AN ACT

For the relief of Mary Daley.

April 3, 1937  
[H. R. 635]  
[Private, No. 20]

Mary Daley.  
Payment to.

Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mary Daley, of Syracuse, New York, the sum of \$225 in full satisfaction of all claims against the United States for personal injuries sustained by her as a result of a collision of a Civilian Conservation Corps motor vehicle with her automobile on Highbridge Road near Lyndon, New York, August 19, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 3, 1937.

[CHAPTER 67]

AN ACT

To authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War.

April 3, 1937  
[H. R. 2773]  
[Private, No. 21]

Civilian Conserva-  
tion Corps.  
Settlement of des-  
ignated claims for  
property losses due to  
activities of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Associated Indemnity Corporation, Portland, Oregon, \$131.83; to Walter A. Dunlop, Roslindale, Massachusetts, \$11.25; to Eggert Coal Company, Morristown, New Jersey, \$12.50; to L. L. Farrell, Escanaba, Michigan, \$10.66; to Francis H. Finn, Waterbury, Vermont, \$16.25; to Norman W. Foster, Florida, Massachusetts, \$30; to Wade Hawk, Greenville, Tennessee, \$10.70; to Norman C. Horne, Mount Union, Pennsylvania, \$26; to William Long, Channahon, Illinois, \$33.50; to Oregon State Highway Commission, Salem, Oregon, \$102.25; to Redding Creamery, Redding, California, \$35.10; to San Joaquin Light and Power Corporation, Fresno, California, \$37.11; to Henry Simonsen, Farmington, Minnesota, \$40.25; to S. W.

Slemons, Bullsgap, Tennessee, \$18.40; to Paul Traglio, Salem, Oregon, \$100; to Bert Tucker, Stamping Ground, Kentucky, \$148; and to the Virginia-Carolina Chemical Company, Richmond, Virginia, \$18.86, in full settlement for damages sustained by reason of the operation of the Civilian Conservation Corps, which claims have been approved by the Secretary of War: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 3, 1937.

[CHAPTER 68]

AN ACT

For the relief of E. C. Willis, father of the late Charles R. Willis, a minor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. C. Willis, father of the late Charles R. Willis, a minor, the sum of \$3,000 in full settlement of all claims against the Government of the United States for fatal injuries suffered by the said Charles R. Willis as a result of a Government-owned truck operated by an employee of the Civilian Conservation Corps striking an automobile operated by the said Charles R. Willis near Sikes, Louisiana, November 18, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 3, 1937  
[H. R. 3630]  
[Private, No. 22]

E. C. Willis.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 3, 1937.

[CHAPTER 70]

AN ACT

For the relief of the Baker-Whiteley Coal Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to extend to the Baker-Whiteley Coal Company, of Baltimore, Maryland, the provisions and benefits of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June

April 6, 1937  
[H. R. 1088]  
[Private, No. 23]

Baker-Whiteley  
Coal Company.  
Adjustment of claim  
authorized.

48 Stat. 974.  
41 U. S. C. § 28.

16, 1933, and for other purposes", approved June 16, 1934, with respect to its contract numbered Tpr-40, entered into on August 10, 1933, for the furnishing of coal to the Government fuel yards at Washington, District of Columbia, to the same extent and in the same manner as if said contract had been entered into prior to August 10, 1933.

Approved, April 6, 1937.

[CHAPTER 71]

AN ACT

For the relief of Malinda J. Mast and William Lee Mast.

April 7, 1937  
[H. R. 1245]  
[Private, No. 24]

Malinda J. Mast  
and William Lee  
Mast.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Malinda J. Mast and William Lee Mast, of McKinley, Oregon, the sum of \$350 in full satisfaction of their claim against the United States for damages for personal injuries suffered on May 19, 1934, about one mile north from where the Norway-Lee County Road leaves the Coquille-Myrtle Point State Highway, in Coos County, Oregon, when the automobile in which said Malinda J. Mast and William Lee Mast were riding was struck by a motor truck owned by the United States and driven by Lem Reynolds, an employee of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 7, 1937.

[CHAPTER 81]

AN ACT

For the relief of J. H. Richards.

April 14, 1937  
[S. 179]  
[Private, No. 25]

J. H. Richards.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to J. H. Richards, of Collinsville, Alabama, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said J. H. Richards on account of the loss of his minor child, Evelyn Richards, who was struck and killed on September 4, 1934, near Collinsville, Alabama, by an automobile in the service of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

## [CHAPTER 82]

## AN ACT

For the relief of the estate of Alice W. Miller, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Alice W. Miller, deceased, former acting postmaster at Valley Ranch, New Mexico, with \$132.86, being the amount paid from postal receipts to Lydia A. Keyes in payment of her voluntary services in acting as postmaster at that post office from December 18, 1932, to February 3, 1933, inclusive.

Approved, April 14, 1937.

April 14, 1937  
[S. 308]  
[Private, No. 26]  
  
Alice W. Miller  
(deceased).  
Credit in accounts  
of.

## [CHAPTER 83]

## AN ACT

For the relief of A. D. Hampton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to A. D. Hampton, of Russellville, Arkansas, the sum of \$5,000, in full settlement of all claims against the United States for the death of his minor son, Adam D. Hampton, Junior, when the car in which he was a passenger was struck by a Government vehicle operated in connection with the Civilian Conservation Corps, while said vehicle was on official business, on October 7, 1934, on United States Highway Numbered 64, near London, Arkansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

April 14, 1937  
[S. 420]  
[Private, No. 27]  
  
A. D. Hampton.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 84]

## AN ACT

For the relief of Harry King.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Harry King, of Monarch, Montana, the sum of \$85 in full satisfaction of his claim against the United States arising from property damage sustained by him when his automobile was struck by a Government truck operated in connection with the Civilian Conservation Corps on United States Highway Numbered 89, near Neihart, Montana, on July 19, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services

April 14, 1937  
[S. 525]  
[Private, No. 28]

Harry King.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.



Penalty for viola-  
tion.

rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 85]

AN ACT

April 14, 1937

[S. 766]

[Private, No. 29]

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Radio Direction Finder Station, North Truro, Massachusetts, on December 27, 1934.

Navy.  
Reimbursement of  
certain enlisted men,  
etc., for personal prop-  
erty losses.

Provisos.  
Determination of  
amounts.  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$527.89, or such portion as may be necessary, to pay claims of enlisted men and former enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire at the Radio Direction Finder Station, North Truro, Massachusetts, on December 27, 1934: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 86]

AN ACT

For the relief of Amelia Corr.

April 14, 1937

[S. 784]

[Private, No. 30]

Amelia Corr.  
Death gratuity pay-  
ment to.  
49 Stat. 1406.

Provisos.  
Dependency to be  
established.

Limitation on at-  
torney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Navy, 1937", to Amelia Corr, mother of Frederick Andrew Corr, late chief pharmacist's mate, United States Navy, the sum of \$945 in full settlement of her claim against the United States for six months' pay at the rate said Frederick Andrew Corr was receiving at the date of his death, October 1, 1932: *Provided*, That said Amelia Corr shows to the satisfaction of the Secretary of the Navy that she was actually dependent on her son, Frederick Andrew Corr, at the time of the latter's death and that the determination of such dependency by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the

same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

Penalty for violation.

[CHAPTER 87]

AN ACT

For the relief of Joseph A. Ganong.

April 14, 1937

[S. 1057]

[Private, No. 31]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph A. Ganong, office cadastral engineer at Portland, Oregon, the sum of \$51.24, representing payments made by John L. Day, United States marshal for the district of Oregon, for traveling expenses incurred by said Joseph A. Ganong as a witness for the Government in the case of United States against State of Oregon, which payments were disallowed by the Comptroller General of the United States and were subsequently refunded by said Joseph A. Ganong: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Joseph A. Ganong.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1937.

[CHAPTER 88]

AN ACT

For the relief of Cesaria Del Pilar.

April 14, 1937

[S. 1310]

[Private, No. 32]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cesaria Del Pilar, mother of Agapito Lomobos, the sum of \$1,500, in full settlement of all claims against the Government of the United States on account of the death of Agapito Lomobos, which resulted from a gunshot wound caused by a pistol bullet fired by a member of a Marine Corps firing party during target practice at the Naval Station, Olongapo, Philippine Islands, on April 25, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Cesaria Del Pilar.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1937.

## [CHAPTER 89]

## AN ACT

For the relief of Norman Hildebrand.

April 14, 1937  
[S. 1311]  
[Private, No. 33]

Norman Hilde-  
brand.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$185 to Norman Hildebrand, chief radioman, United States Navy, in full satisfaction of his claim against the United States for the loss of uniforms and other personal effects as a result of a fire in the living quarters of the radioman in charge at the naval radio station, David, Republic of Panama, on December 29, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

## [CHAPTER 90]

## AN ACT

April 14, 1937  
[S. 1314]  
[Private, No. 34]

Marine Corps.  
Reimbursement of  
certain enlisted men,  
etc., for personal prop-  
erty losses.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

To provide for the reimbursement of certain enlisted men and former enlisted men of the Marine Corps for the value of personal effects lost by fire at the Marine Barracks, Quantico, Virginia, on October 5, 1930.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$2,900.04, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men of the Marine Corps for the value of personal effects lost as a result of the fire which occurred at the Marine Barracks, Quantico, Virginia, on October 5, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

## [CHAPTER 91]

## AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost by fire at the Naval Radio Station, Eureka, California, on January 17, 1930.

April 14, 1937

[S. 1315]

[Private, No. 35]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$266, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men, of the Navy, for the value of personal effects lost as a result of a fire which destroyed a building at the Naval Radio Station, Eureka, California, on January 17, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.  
Reimbursement of  
certain enlisted men,  
etc., for personal prop-  
erty losses.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, April 14, 1937.

## [CHAPTER 92]

## AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Naval Radio Station, Libugon, Guam, on April 15, 1932.

April 14, 1937

[S. 1317]

[Private, No. 36]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,486.22, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed as the result of a fire at the United States Naval Radio Station, Libugon, Guam, on April 15, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.  
Reimbursement of  
certain enlisted men,  
etc., for personal prop-  
erty losses.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, April 14, 1937.

## [CHAPTER 93]

## AN ACT

April 14, 1937

[S. 1320]

[Private, No. 37]

Navy.  
Reimbursement of  
certain civilian em-  
ployees for personal  
property losses.

Provisos.  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

To provide for the reimbursement of certain civilians employed at the Naval Operating Base, Hampton Roads, Virginia, on May 4, 1930, for the value of tools lost in a fire on pier 7, at the naval operating base, on that date.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$245.17, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain civilians employed at the Naval Operating Base, Hampton Roads, Virginia, on May 4, 1930, for the value of tools owned by said civilians, lost as a result of the fire which destroyed pier 7 at the naval operating base on that date: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

## [CHAPTER 94]

## AN ACT

April 14, 1937

[S. 1454]

[Private, No. 38]

Navy.  
Reimbursement of  
certain enlisted men  
for personal property  
losses.

Provisos.  
Determination of  
amounts.  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

To provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects destroyed in a fire in Building Numbered 125, United States Navy Yard, Washington, District of Columbia, on July 16, 1935.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$588.70, or such portion as may be necessary, to pay claims of enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire in Building Numbered 125, United States Navy Yard, Washington, District of Columbia, on July 16, 1935: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

## [CHAPTER 96]

## AN ACT

For the relief of Edward Y. Garcia and Aurelia Garcia.

April 15, 1937

[S. 316]

[Private, No. 39]

Edward Y. and  
Aurelia Garcia.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Edward Y. Garcia and Aurelia Garcia, of Albuquerque, New Mexico, the sum of \$2,500 in full satisfaction of their claim against the United States on account of the death of their minor son, Edward Le Garcia, who was killed on John Street, Albuquerque, New Mexico, on June 1, 1935, when he was struck by a Civilian Conservation Corps truck driven by James O. House: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 15, 1937.

## [CHAPTER 97]

## AN ACT

For the relief of George A. Hardy, Mang B. Kiechle, John C. McLeod, and Earl W. Zimmer.

April 15, 1937

[S. 463]

[Private, No. 40]

George A. Hardy  
and others.  
Payments to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George A. Hardy the sum of \$986; to Mang B. Kiechle the sum of \$1,505; to John C. McLeod the sum of \$667.25; and to Earl W. Zimmer the sum of \$755.85, in full settlement of all claims against the United States on account of damages to private property arising out of the occupancy and use of their land by the Army in connection with the first Army maneuvers held in the vicinity of Pine Camp, New York, during the period August 17 to August 31, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 15, 1937.

[CHAPTER 98]

AN ACT

For the relief of M. K. Fisher.

April 15, 1937

[S. 544]

[Private, No. 41]

M. K. Fisher.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. K. Fisher, of Clarkdale, Arizona, the sum of \$500, in full satisfaction of his claim against the United States for damages arising out of personal injuries of his wife and two minor children, and damages to his automobile, suffered when such automobile was struck by a Forest Service truck, near Jerome, Arizona, on August 4, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 15, 1937.

[CHAPTER 99]

AN ACT

For the relief of Victor M. Ruiz C and Luz Elena Robles.

April 15, 1937

[S. 1038]

[Private, No. 42]

Victor M. Ruiz C  
and Luz Elena Robles.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$266.50 to Victor M. Ruiz C and the sum of \$490.15 to Luz Elena Robles, both of Panama City, Panama, in full and final settlement of all claims whatsoever against the United States for compensation for damages arising from personal injuries sustained in the collision between a United States Army truck and the Chevrolet touring car of Victor M. Ruiz C, on March 26, 1935, near Arraijan, Republic of Panama: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 15, 1937.

[CHAPTER 105]

AN ACT

For the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department.

April 15, 1937

[S. 843]

[Private, No. 43]

Guy F. Allen.  
Credit allowed in accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of Guy F. Allen, chief disbursing

officer, Division of Disbursement, Treasury Department, without charge against the certifying officer of the Department of Justice, for the sum of \$126.40, representing the disallowed portion of the sum of \$138 paid by him on August 17, 1934, on voucher numbered 102336, from the appropriation, "15746, Salaries and expenses, Division of Investigation, 1935", to the Airline ticket office, Municipal Airport, Oklahoma City, Oklahoma, for the charter of a special airplane by an assistant director of the Federal Bureau of Investigation of the Department of Justice, for transportation from Oklahoma City, Oklahoma, to Springfield, Missouri, in connection with an emergency investigation.

Approved, April 15, 1937.

# [CHAPTER 106]

## AN ACT

For the relief of Captain Eugene Blake, Junior, United States Coast Guard.

April 16, 1937

[S. 1413]

[Private, No. 44]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Phillip Hudson Phillips, out of any money in the Treasury not otherwise appropriated, the sum of \$750, in full satisfaction of a judgment in that sum and any interest thereon or court costs in connection therewith, secured on October 12, 1934, by Phillip Hudson Phillips against Captain Eugene Blake, Junior, United States Coast Guard, in the case of Phillips against Blake (number 19366-K), in the Southern Division of the United States District Court for the Northern District of California, arising out of the destruction of the motorboat Adanesne on October 25, 1932, as a potential menace to navigation, at the direction of Captain Blake, in the vicinity of San Pedro Point, San Mateo County, California, while such motorboat was in the possession of the said Phillips as salvor: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Captain Eugene Blake, Jr., U. S. Coast Guard.

Payment of court judgment against, authorized.

*Proriso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 16, 1937.

# [CHAPTER 112]

## AN ACT

For the relief of G. A. Trotter.

April 17, 1937

[S. 1423]

[Private, No. 45]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of G. A. Trotter, former superintendent and special disbursing agent of the Zuni Indian Agency, for payments aggregating \$102.40 made to Will Halloran as mileage for the use of his personally owned automobile while performing his official duties as road supervisor in the Indian Service.

G. A. Trotter.  
Credit allowed in accounts of.

Approved, April 17, 1937.



## [CHAPTER 113]

## AN ACT

For the relief of John S. Hemrick.

April 19, 1937  
[H. R. 1871]  
[Private, No. 46]

John S. Hemrick.  
Provisions of Em-  
ployees' Compensa-  
tion Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Provisos.*  
Time for filing  
claim.  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of John S. Hemrick for disability alleged to have been incurred by him during the winter of 1933-1934, while in the employ of the Civil Works Administration, and to determine said claim upon its merits under provisions of said Act: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the enactment of this Act.

Approved, April 19, 1937.

## [CHAPTER 115]

## AN ACT

For the relief of Ernest and Lottie Dunford.

April 20, 1937  
[H. R. 456]  
[Private, No. 47]

Ernest and Lottie  
Dunford.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Ernest and Lottie Dunford, of Ramsey Town, Henry County, Virginia, jointly, the sum of \$3,500 in full settlement of their claim against the United States for the death of their minor child, Hattie M. Dunford, who was struck and killed by a Civilian Conservation Corps truck on June 23, 1934, at Ramsey Town, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 20, 1937.

## [CHAPTER 116]

## AN ACT

For the relief of Peter Karampelis.

April 20, 1937  
[H. R. 2320]  
[Private, No. 48]

Peter Karampelis.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$100 to Peter Karampelis, of Milwaukee, Wisconsin, in full satisfaction of his claim against the United States for the difference between \$300 bail, declared forfeited by the United States District

Court for the Eastern District of Wisconsin and covered into the Treasury but subsequently ordered restored by the said court as no notice to appear had been given him, and a \$200 fine imposed upon him by the said court for the violation of certain provisions of the National Prohibition Act during 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 20, 1937.

[CHAPTER 117]

AN ACT

For the relief of E. B. Gray.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to E. B. Gray, of Cincinnati, Ohio, in full settlement of his claim against the United States for an equal amount paid by him on September 8, 1931, to the United States by reason of the forfeiture of the bail bond of Chester Koher, the latter having failed to appear for trial, but thereafter having been apprehended by said E. B. Gray, without cost to the Government, and imprisoned: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 20, 1937  
[H. R. 2936]

[Private, No. 49]

E. B. Gray.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 20, 1937.

[CHAPTER 118]

AN ACT

To provide for the settlement and adjustment of claims of contractors in connection with the construction of the factory building at the Reedsville Experimental Community, Arthurdale, West Virginia.

April 21, 1937  
[S. 1414]

[Private, No. 50]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to receive, settle, and adjust all claims of contractors in connection with the constructing and equipping of the factory building at the Reedsville Experimental Community, a subsistence homestead project, at Arthurdale, West Virginia. The unexpended balance of the sum made available to the President, for making loans for and otherwise aiding in the purchase of subsistence homesteads, by section 208 of the National Industrial Recovery Act, as amended and extended, or so much thereof as may be necessary, is hereby made

Reedsville Experimental Community,  
Arthurdale, W. Va.  
Construction, etc.,  
claims to be adjusted.

Funds available for payment.

48 Stat. 205.  
40 U. S. C. § 408.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

available for payment of such claims: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with these claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with these claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 21, 1937.

[CHAPTER 119]

AN ACT

For the relief of Kate Carter Lyons.

April 21, 1937  
[H. R. 1870]  
[Private, No. 51]

Kate Carter Lyons.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Carter Lyons, of Travelers Rest, South Carolina, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 in full satisfaction of her claim against the United States for personal injuries received by her when she fell into an excavation on her property at the above address on June 4, 1934, said excavation having been made in January 1934 and left open by employees of the Civil Works Administration in preparation for the placement of a United States Coast and Geodetic Survey monument therein: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 21, 1937.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

[CHAPTER 120]

AN ACT

For the relief of Evangelos Karacostas.

April 21, 1937  
[H. R. 1923]  
[Private, No. 52]

Evangelos Karacos-  
tas.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Evangelos Karacostas, of Boston, Massachusetts, the sum of \$500. Such sum shall be in full settlement of all his claims against the United States for the amount of a cash bond declared breached by the Department of Labor on April 13, 1929, upon the failure of said Evangelos Karacostas to depart from the United States as a temporary visitor, and subsequently covered into the Treasury of the United States, while there was pending a suit instituted by him and before a decision was rendered by the District Court of the United States for the District of Massachusetts that said Evangelos Karacostas was entitled to remain in this country permanently: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 21, 1937.

[CHAPTER 124]

AN ACT

For the relief of Charles M. Perkins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Charles M. Perkins, former postmaster at Seattle, Washington, with the sum of \$14,897.66, representing the amount of postal funds lost in the robbery of said post office on December 23, 1931, and now charged to the account of the former postmaster.*

**SEC. 2.** That the Comptroller General of the United States be, and he is hereby, authorized and directed further to credit the account of Charles M. Perkins, former postmaster at Seattle, Washington, with the sum of \$1,100, representing the amount of postal funds embezzled by Edgar A. Chitwood, former assistant postal cashier of said post office, between June 6 and June 10, 1932, and now charged to the account of the former postmaster.

Approved, April 22, 1937.

[CHAPTER 126]

AN ACT

For the relief of William Blakeley, or Blakely, as administrator of the estate of Joseph Blakeley, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay to William Blakely, as administrator of the estate of Joseph Blakeley, late chief electrician's mate, United States Navy, the sum of money credited to the account of said decedent in the ship's bank of the United States ship West Virginia, or elsewhere if it shall have been transferred therefrom, constituting pay and allowances due and unpaid on the date of his, the said Joseph Blakeley's, death on May 13, 1926, at the naval hospital, San Diego, California, and all cash found in his personal effects on or subsequent to said date: *Provided*, That the said William Blakely shall first file an affidavit with the Comptroller General of the United States showing the correct spelling of his, the claimant's surname: *Provided further*, That the sum so paid under this Act shall be in full settlement of all claims against the United States for pay and allowances and cash from the personal effects of said decedent, Joseph Blakeley: *And provided further*, That no part of the payment authorized and directed to be made in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the settlement of this account, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, April 23, 1937.

Penalty for violation.

April 22, 1937

[H. R. 1089]

[Private, No. 53]

Charles M. Perkins.  
Credit in postal accounts.

April 23, 1937

[H. R. 2780]

[Private, No. 54]

William Blakely.  
Payment to.

*Provisos.*  
Correct spelling of claimant's surname.  
Payment to be in full settlement.

Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 128]

## AN ACT

April 24, 1937

[S. 1455]

[Private, No. 55]

To authorize certain officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered.

Navy, Army, and  
Marine Corps.  
Acceptance of cer-  
tain decorations, etc.,  
tendered by foreign  
governments, author-  
ized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-named officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army, and officers and enlisted men of the Marine Corps are hereby authorized to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered:

Navy.

United States Navy: Rear Admiral William H. Standley, retired; Captain Laurence N. McNair; Captain William D. Puleston; Captain John T. G. Stapler; Captain Rufus F. Zogbaum, retired; Captain Harry J. Abbett; Captain Archibald L. Parsons (CEC); Captain Grear A. Duncan (CEC); Captain Ernest R. Gayler (CEC); Commander Wallace L. Lind; Lieutenant Commander Ben N. Wyatt; Lieutenant Commander Frederick S. Holmes; Lieutenant Brook S. Mansfield; Lieutenant (Junior Grade) Robert R. DeWolfe; Captain Charles C. Gill; Captain Henry K. Hewitt; Captain Paul H. Bastedo; Captain Ross T. McIntire (MC); Lieutenant Paul W. Hord; and Lieutenant Augustus D. Clark.

Army.

United States Army: Major General Andrew Moses; Colonel Charles Burnett; Colonel Albert Gilmor; Lieutenant Colonel John A. Crane; Lieutenant Colonel Henry B. Cheadle; Lieutenant Colonel Clarence H. Danielson; Lieutenant Colonel James A. Dorst; Lieutenant Colonel Robert L. Eichelberger; Lieutenant Colonel James A. Lester; Lieutenant Colonel Herbert E. Marshburn; Lieutenant Colonel Alvan C. Sanderford; Lieutenant Colonel Rodney H. Smith; Lieutenant Colonel Iverson B. Summers; Lieutenant Colonel Basilio J. Valdes, Philippine Army; Lieutenant Colonel Robert H. Van Volkenburgh; Major Charles R. Finley; Major William Sackville; Major William E. Shipp; Captain William D. Hohenthal; Captain Carnes B. Lee; Captain Edwin L. Sibert; Second Lieutenant Stephen Walsh Holderness; Private Mikael Torres; Doctor William H. Brown, civilian employee, Philippine Government; Doctor Samuel M. Burka, Air Corps Civilian Employee; Captain Ciriado Carillo, Philippine Coast Guard; John B. Johnson, Air Corps Civilian Employee; Jean A. Roche, Air Corps Civilian Employee.

Marine Corps.

Marine Corps: Colonel Frank E. Evans; Lieutenant Colonel Pedro A. Del Valle; Lieutenant Colonel Maurice G. Holmes; Captain Harold D. Hansen; First Sergeant Frederick Belton; Major General Charles H. Lyman; Lieutenant Colonel James Roosevelt (VMCR); and Captain John D. Blanchard.

Approved, April 24, 1937.

## [CHAPTER 129]

## AN ACT

For the relief of Matt Burgess.

April 26, 1937

[H. R. 1913]

[Private, No. 56]

Matt Burgess.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,500 to Matt Burgess in full settlement of all claims against the United States because of a judgment rendered against and paid

by him, by reason of the forfeiture of his bail bond on June 7, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

Approved, April 26, 1937.

[CHAPTER 132]

AN ACT

For the relief of the Van Buren Light and Power District.

April 26, 1937  
[H. R. 1676]  
[Private, No. 57]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Van Buren Light and Power District, Van Buren, Maine, the sum of \$365.70. The payment of such sum shall be in full settlement of all claims against the United States of the Van Buren Light and Power District for electric current furnished the office of the Immigration and Naturalization Service during the period from July 1, 1931, to March 5, 1935, both dates inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Van Buren Light  
and Power District.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

Approved, April 26, 1937.

[CHAPTER 133]

AN ACT

For the relief of the Sterling Bronze Company.

April 26, 1937  
[H. R. 3701]  
[Private, No. 58]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle the claim of the Sterling Bronze Company for \$8,168 for material supplied and work performed in furnishing and installing electrical supplies and equipment in the New House Office Building under contract ACho-23. Appropriations heretofore made for the construction of the New House Office Building are hereby made available for the payment of this claim in the said sum of \$8,168: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sterling Bronze  
Company.  
Settlement of claim  
authorized.

Funds available for  
payment.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

Approved, April 26, 1937.

[CHAPTER 137]

AN ACT

For the relief of Lucretia Norris.

April 27, 1937

[H. R. 1087]

[Private, No. 59]

Lucretia Norris.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucretia Norris the sum of \$600, in full settlement of all claims against the United States for injuries sustained when she was struck by a vehicle operated by an employee of the Government and in the service of the Post Office Department, in Baltimore, Maryland, on January 1, 1931: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 27, 1937.

[CHAPTER 138]

AN ACT

For the relief of Henrietta Jacobs.

April 27, 1937

[H. R. 2144]

[Private, No. 60]

Henrietta Jacobs.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of \$2,500 to Henrietta Jacobs on account of an injury sustained while visiting the United States Naval Air Station at Lakehurst, New Jersey, on June 1, 1930: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 27, 1937.

[CHAPTER 139]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed by fire at the naval training station, Hampton Roads, Virginia, on February 21, 1927.

April 27, 1937

[H. R. 4687]

[Private, No. 61]

Navy.  
Reimbursement of  
certain present and  
former enlisted men  
for personal prop-  
erty losses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,500, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men of the Navy, for the value of personal effects lost, damaged,

or destroyed as a result of the fire which occurred in Unit J, Naval Operating Base, Hampton Roads, Virginia, on February 21, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 27, 1937.

[CHAPTER 165]

AN ACT

For the relief of Arthur C. Knox.

May 6, 1937  
[H. R. 417]

[Private, No. 62]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur C. Knox, of Peekskill, New York, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Arthur C. Knox as the result of the death of his daughter, Marjorie, who was struck and fatally injured by a Department of Agriculture truck on April 5, 1935, in Peekskill, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Arthur C. Knox.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1937.

[CHAPTER 166]

AN ACT

For the relief of Fay Pledger.

May 6, 1937  
[H. R. 561]

[Private, No. 63]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Fay Pledger the sum of \$230 in full settlement of all claims against the United States on account of damage to his automobile as the result of an accident occasioned by collision with a Government vehicle operated in connection with the Civilian Conservation Corps near Summerville, Georgia, on June 24, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Fay Pledger.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1937.



[CHAPTER 167]

AN ACT

Conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Company.

May 6, 1937  
[H. R. 986]  
[Private, No. 64]

Canal Dredging  
Company.  
Jurisdiction con-  
ferred upon Court of  
Claims to hear claim  
of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States Court of Claims to hear the claim of the Canal Dredging Company, a corporation under the laws of Illinois, with its principal office in the city of Memphis, Tennessee, and to determine and report to Congress the amount of additional compensation, if any, that said Canal Dredging Company may be justly entitled to for the excavation of rock exceeding the percentage represented in and by the specifications, profiles, and other data relating to the work and for its loss on account of its preparation for doing the work which it was to do in the State of Florida along the south shore of Lake Okeechobee in the area known locally as South Bay between the Miami Canal and Bacom Point, under the contract entered into on the 5th day of August 1932 between the United States and itself designated as "Contract W. 436-eng-3071", and supplemental agreement modifying the same between said parties, approved by the Chief of Engineers, United States Army, on the 13th day of July 1933, terminated by supplemental agreement entered into between said parties on the 14th day of June 1934, and for the best interests of the Government, because of the discovery of rock to be excavated in excess of that represented and contemplated as aforesaid, entitling said Canal Dredging Company to a material increase in the contract price, in order that the Government might construct said work by Government plant and hired labor, of a materially different design as more efficient for the purpose intended and at a less cost to the Government, to which said Canal Dredging Company consented.

Commencement of  
suit.

SEC. 2. Such claim may be instituted at any time within one year after the passage of this Act, notwithstanding the lapse of time or any statute of limitations.

Approved, May 6, 1937.

[CHAPTER 168]

AN ACT

For the relief of Harold Wright, a minor.

May 6, 1937  
[H. R. 1281]  
[Private, No. 65]

Harold Wright.  
Payment to guard-  
ian of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to the legal guardian of Harold Wright, a minor, of Walker County, Alabama, in full settlement of all claims against the Government of the United States for injuries received by said minor on the 11th day of February 1934 as the result of an explosion of a dynamite cap, or detonator, the property of the United States, which was negligently stored by employees of the Civil Works Administration, at Hull, Walker County, Alabama: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

Penalty for violation.

[CHAPTER 169]

AN ACT

For the relief of Etta Natelsky.

May 6, 1937  
[H. R. 1859]

[Private, No. 66]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Etta Natelsky, of Chicago, Cook County, Illinois, the sum of \$1,500 in full satisfaction of all claims of said Etta Natelsky against the United States for damages resulting from personal injuries sustained by her on July 22, 1934, when shot by an agent of the Department of Justice, Division of Investigation, in the endeavor of said Department of Justice, Division of Investigation, to apprehend John Dillinger: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Etta Natelsky.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1937.

[CHAPTER 170]

AN ACT

For the relief of James C. Wilkinson.

May 6, 1937  
[H. R. 2321]

[Private, No. 67]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of James C. Wilkinson, of McAlester, Oklahoma, for disability alleged to have been incurred in the performance of his duties as deputy United States marshal on March 20, 1931, under the remaining provisions of said Act: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

James C. Wilkinson.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§765-770.

*Provisos.*  
Time limitation.  
No prior benefits.

Approved, May 6, 1937.

## [CHAPTER 171]

## AN ACT

For the relief of J. E. Midgett, Luther E. Bozman, and Gordy Z. Parks.

May 6, 1937  
[H. R. 2494]  
[Private, No. 68]

J. E. Midgett, and  
others.  
• Payments to.

Luther E. Bozman.  
Gordy Z. Parks.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. Midgett, the sum of \$89; to Luther E. Bozman, the sum of \$89.50; and to Gordy Z. Parks, the sum of \$97.75; in all, \$276.25, in full satisfaction of their claims against the United States for loss of their personal property and effects when forced to abandon the Janes Island Light Station, Virginia, where they were serving as lighthouse keepers, which station was destroyed by ice in February 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

## [CHAPTER 172]

## AN ACT

For the relief of Harold W. Snell.

May 6, 1937  
[H. R. 2771]  
[Private, No. 69]

Harold W. Snell.  
Release of responsi-  
bility for lost funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Harold W. Snell, special representative agent, The Alaska Railroad, with headquarters at Chicago, Illinois, is hereby relieved of reimbursing the United States for credit to the appropriation, "Alaska Railroad Special Fund", the sum of \$133.91, the amount lost in the burglary of the offices of the Alaska Railroad, 333 North Michigan Avenue, Chicago, Illinois, on the night of July 8, 1935.

Approved, May 6, 1937.

## [CHAPTER 173]

## AN ACT

For the relief of Mrs. M. N. Shwamberg and others.

May 6, 1937  
[H. R. 2978]  
[Private, No. 70]

Mrs. M. N. Shwam-  
berg, and others.  
Payments to.  
*Ante*, p. 789.

Country Hospital,  
Shanghai, China.

Dr. Ed Birt.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500, together with such additional amount due to increases in rates of exchange as may be necessary to pay (1) Mrs. M. N. Shwamberg, as an act of grace, and without reference to the legal liability of the United States, as full indemnity for personal injuries sustained by her as the result of a collision between a public jinrikisha in which she was riding and a United States Marine Corps ambulance on Seymour Road, Shanghai, China, on January 31, 1935, Mexican \$1,000; (2) the Country Hospital, Shanghai, China, for treatment furnished to Mrs. Shwamberg on account of this accident, Mexican \$374.50; (3) Doctor Ed Birt, Shanghai, China, for medical treatment furnished Mrs. Shwamberg on account of this accident, Mexican \$170.

Approved, May 6, 1937.

## [CHAPTER 174]

## AN ACT

For the relief of Edmond G. Warren.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Edmond G. Warren, of Keams Canyon, Arizona, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim, if filed within six months from the approval of this Act, for disability alleged to have been sustained in the performance of his duties as principal of the United States Indian Service Boarding School, Chin Lee, Arizona, in May 1928: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, May 6, 1937.

May 6, 1937  
[H. R. 2985]  
[Private, No. 71]

Edmond G. Warren.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Proviso.*  
No prior benefits.

## [CHAPTER 175]

## AN ACT

For the relief of Grier-Lowrance Construction Company, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of Grier-Lowrance Construction Company, Incorporated, for losses and damages under contract numbered AMB 28, dated May 18, 1929, for the construction of the foundation for the several structures of the Arlington Memorial Bridge project be, and the same is hereby, referred to the United States Court of Claims with jurisdiction to hear the same to judgment, said claim to be adjudicated upon the basis of all losses or damages suffered by the said company duly found to be due to acts of the Government or delays caused by the Government or subsurface conditions unknown to the contractor and not disclosed by the Government before contract was entered into, notwithstanding any lapse of time or any provisions of the statute of limitations: *Provided*, That suit hereunder is instituted within four months from the approval of this Act.

Approved, May 6, 1937.

May 6, 1937  
[H. R. 3190]  
[Private, No. 72]

Grier-Lowrance Construction Company, Incorporated.  
Claim of, referred to Court of Claims.

*Proviso.*  
Commencement of suit.

## [CHAPTER 176]

## AN ACT

For the relief of Margaret Scott Bayley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions and limitations of sections 15 and 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Margaret Scott Bayley for disability alleged to have been incurred by her while in the employment of the Veterans' Administration from June 28, 1920, to August 6, 1923, respectively, and to determine said claim

May 6, 1937  
[H. R. 3636]  
[Private, No. 73]

Margaret Scott Bayley.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Proviso.*  
No prior benefits.  
Commencement of  
suit.

upon its merits under the provisions of said Act: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That claim hereunder shall be filed within six months after the approval of this Act.

Approved, May 6, 1937.

[CHAPTER 177]

AN ACT

For the relief of John J. Warner and W. B. Warner.

May 6, 1937  
[H. R. 4522]  
[Private, No. 74]

John J. and W. B.  
Warner.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Warner, of Spearville, Kansas, the sum of \$400, and to W. B. Warner, of Spearville, Kansas, the sum of \$200, in full settlement of all claims against the United States for damages to them caused by the death of twenty-four head of cattle, known as abortion reactors, in connection with the Government's efforts to eradicate this disease from the dairy herds of Ford County, Kansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

[CHAPTER 178]

AN ACT

For the relief of the Polygraphic Company of America.

May 6, 1937  
[H. R. 5304]  
[Private, No. 75]

Polygraphic Com-  
pany of America.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,869.85 to the Polygraphic Company of America, such payment to be in full settlement of any claim against the Government of the United States for the printing of two million "NRA" stickers pursuant to contract numbered Cc-2069 executed in August 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

## [CHAPTER 188]

## AN ACT

For the relief of A. Sereiskis (Maxwell A. Rittenberg).

May 14, 1937  
[H. R. 411]  
[Private, No. 76]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the immigration and naturalization laws, the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against A. Sereiskis (Maxwell A. Rittenberg) heretofore issued on the grounds that on April 18, 1927, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude" and thereupon A. Sereiskis (Maxwell A. Rittenberg) shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, New York, on April 18, 1927. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to A. Sereiskis (Maxwell A. Rittenberg), which were predicated upon the claim of lawful admission to the United States for permanent residence on April 18, 1927, shall hereafter be deemed valid, unless the original seven-year period of validity of such declaration of intention has heretofore expired or A. Sereiskis (Maxwell A. Rittenberg) has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

A. Sereiskis (Maxwell A. Rittenberg)  
Relief from deportation and validation of previous admission, authorized.

Condition.

Approved, May 14, 1937.

## [CHAPTER 189]

## AN ACT

For the relief of Mary E. Cavey, Joseph C. Kinney, and the estate of J. Edgar Giff, deceased.

May 14, 1937  
[H. R. 1780]  
[Private, No. 77]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary E. Cavey, of Ilchester, Maryland, daughter of Robert Cavey, deceased, former postmaster at Ilchester, Maryland, the sum of \$181.31, who, without prior designation by the Postmaster General, performed the duties of acting postmaster at the office at Ilchester from July 3, 1934, the date following the death of the former postmaster, until October 17, 1934, the day prior to the appointment of Mary E. Cavey as acting postmaster at Ilchester, both dates inclusive, such sum representing the amount of compensation which Mary E. Cavey would have been entitled to receive had she been regularly designated as acting postmaster for such period.

Mary E. Cavey.  
Payment to.

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to credit the account of Joseph C. Kinney, postmaster at Stacyville, Iowa, with \$68.92, being the amount which he paid from the postal receipts of the post office at Stacyville, Iowa, to Mrs. George H. Kinney as compensation for her voluntary services in acting as postmaster at said post office from October 15 to November 6, 1933, inclusive, following the death of her husband, George H. Kinney, the former postmaster.

Joseph C. Kinney.  
Credit in postal account.

J. Edgar Gift.  
Credit in postal account.

SEC. 3. That the Comptroller General of the United States is hereby authorized and directed to credit, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, the account of J. Edgar Gift, deceased, former postmaster at Lemasters, Pennsylvania, with \$64.76, being the amount deducted from the postal receipts of the post office at Lemasters, Pennsylvania, by Paul E. Gluck for his voluntary services as acting postmaster at said post office from February 23 to March 31, 1934, inclusive, following the death of the former postmaster.

Limitation on attorney's, etc., fees.

SEC. 4. No part of the amount appropriated in section 1 of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, May 14, 1937.

[CHAPTER 190]

AN ACT

For the relief of Annie E. Hyland.

May 14, 1937

[H. R. 4233]

[Private, No. 78]

Annie E. Hyland.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Annie E. Hyland, of San Francisco, California, the sum of \$821.40 in full satisfaction of her claim against the United States for injuries sustained on September 4, 1933, when she was struck by an Army fire engine: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 14, 1937.

[CHAPTER 191]

AN ACT

To authorize the cancelation of deportation proceedings in the case of Salvatore Branchicella.

May 14, 1937

[H. R. 4451]

[Private, No. 79]

Salvatore Branchicella.  
Cancelation of deportation proceedings.  
39 Stat. 889, 890.  
8 U. S. C. §§ 155, 156.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation issued pursuant to sections 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889, 890; U. S. C., title 8, secs. 155 and 156), in the case of Salvatore Branchicella, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this Act, Salvatore Branchicella shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

Approved, May 14, 1937.

## [CHAPTER 192]

## JOINT RESOLUTION

To authorize Captain Harry G. Hamlet, Captain Edward D. Jones, Lieutenant Commander Louis W. Perkins, Lieutenant Commander Frank T. Kenner, Lieutenant Dwight H. Dexter, and Chief Boatswain Thomas A. Ross, United States Coast Guard, to accept certain foreign decorations and diplomas.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That Captain Harry G. Hamlet, United States Coast Guard, be authorized to accept the decoration and diploma of Commendatore della Corona d'Italia; that Lieutenant Commander Louis W. Perkins, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere della Corona d'Italia; that Lieutenant Commander Frank T. Kenner, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere Ufficiale della Corona d'Italia; that Lieutenant Dwight H. Dexter, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere Ufficiale della Corona d'Italia; that Chief Boatswain Thomas A. Ross, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere della Corona d'Italia; such decorations and diplomas having been conferred upon these officers by the Government of Italy; and that the Department of State be permitted to deliver such decorations and diplomas to these officers.

SEC. 2. That Captain Edward D. Jones, United States Coast Guard, be authorized to accept the diploma and the Cross of Chevalier of the Order of Leopold II, which have been conferred upon this officer by the Government of Belgium; and that the Department of State be permitted to deliver such decoration and diploma to this officer.

Approved, May 14, 1937.

May 14, 1937  
[H. J. Res. 185]  
[Priv. Res., No. 1]

Foreign decorations,  
etc.  
Designated officers  
may accept, from  
Italy.

Delivery by De-  
partment of State.

Captain Edward D.  
Jones may accept,  
from Belgium.

Delivery.

## [CHAPTER 199]

## AN ACT

For the relief of Harry D. McIntosh.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harry D. McIntosh, of Mount Clemens, Michigan, out of any money in the Treasury not otherwise appropriated, the sum of \$84, in full settlement of any and all claims against the Government for medical expenses incurred as a result of personal injuries suffered by his son, Douglas McIntosh, when he was struck by an Army school bus at Mount Clemens, Michigan, on December 5, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

May 15, 1937  
[S. 118]  
[Private, No. 80]

Harry D. McIn-  
tosh.  
Payment to.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tion.

## [CHAPTER 200]

## AN ACT

For the relief of George W. Hanna and Bertha M. Hanna.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

May 15, 1937  
[S. 315]  
[Private, No. 81]

George W. and Ber-  
tha M. Hanna.  
Payment to.



George W. Hanna and Bertha M. Hanna, of Paxton Springs, New Mexico, the sum of \$5,000 in full satisfaction of their claim against the United States on account of the death of their minor son, David Hanna, who was killed on October 1, 1935, when a truck which he was driving turned over in a ditch which had been dug across the Oso Ridge Forest Road in the Cibola National Forest in the State of New Mexico and left unmarked by employees of the Forest Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 201]

AN ACT

For the relief of Rufus C. Long.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rufus C. Long, of Preston, Idaho, the sum of \$40. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, because of Bang's disease, of two cattle owned by the said Rufus C. Long: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 202]

AN ACT

For the relief of B. W. Winward.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. W. Winward, of Whitney, Idaho, the sum of \$20. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, because of Bang's disease, of one cow owned by the said B. W. Winward: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

May 15, 1937  
[S. 434]  
[Private, No. 82]

Rufus C. Long.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

May 15, 1937  
[S. 435]  
[Private, No. 83]

B. W. Winward.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 203]

AN ACT

For the relief of Frank Dauwe, Alberto Esparza, Frank Van den Hende, Germain Van der Poorten, and Cesar Van Overbenborger.

May 15, 1937

[S. 461]

[Private, No. 84]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Dauwe the sum of \$342.62; to Alberto Esparza the sum of \$75; to Frank Van den Hende the sum of \$726.25; to Germain Van der Poorten the sum of \$210; and to Cesar Van Overbenborger the sum of \$135; in all, \$1,488.87, in full settlement of all claims against the United States past or future on account of losses of growing crops on their land or damage to land adjoining Kelly Field, Texas, by reason of the Government's action in diverting the natural flow of surface waters by erecting a railroad embankment and a dike at Kelly Field, Texas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank Dauwe, and others.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 204]

AN ACT

For the relief of E. P. Conroy and Graham Conroy.

May 15, 1937

[S. 812]

[Private, No. 85]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. P. Conroy of Salem, Oregon, the sum of \$1,490, and to the regularly appointed, qualified, and acting guardian of Graham Conroy, a minor, of Salem, Oregon, the sum of \$500 in full satisfaction of their respective claims against the United States for damages for personal injuries suffered on September 8, 1935, at the intersection of Freemont Street and Thirty-third Avenue northeast, Portland, Oregon, when the automobile in which said E. P. Conroy and Graham Conroy were riding was struck by a Government ambulance, U. S. CCC numbered 7538, operated by L. C. Skinner, CC 9-164255, an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary

E. P. Conroy and guardian of Graham Conroy.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 205]

AN ACT

For the relief of Lieutenant Commander Chester B. Peake, Supply Corps, United States Navy.

May 15, 1937  
[S. 1313]  
[Private, No. 86]

Lt. Comdr. Chester B. Peake, Navy.  
Credit allowed in accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Lieutenant Commander Chester B. Peake, Supply Corps, United States Navy, with the sum of \$59.45, representing payments made by him to the late Commander William F. Gresham, United States Navy, as rental allowance for the period February 15 to March 31, 1935, and disallowed by the Comptroller General as being in excess of the rental allowance to which Commander Gresham was legally entitled.

Approved, May 15, 1937.

[CHAPTER 206]

AN ACT

For the relief of Mr. and Mrs. Robert O. Brown.

May 15, 1937  
[S. 1589]  
[Private, No. 87]

Mr. and Mrs. Robert O. Brown.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Robert O. Brown, of Avery, Idaho, the sum of \$147.21 in full satisfaction of their claim against the United States for damages to their household effects caused by debris thrown upon their home as result of blasting operations on April 4, 1936, by the Forest Service, in connection with an Emergency Conservation Work road-construction project in the Saint Joe National Forest: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 207]

AN ACT

For the relief of Commander William I. Causey, United States Navy, and Lieutenant Commander Earl LeRoy Bailey, Supply Corps, United States Navy.

May 15, 1937  
[S. 1631]  
[Private, No. 88]

Comdr. William I. Causey, Navy.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Commander William I. Causey, United States Navy, the sum of \$56.78, representing excess cost of travel checked against the accounts of this officer for travel performed in June 1935, and January 1936, under orders which authorized the use of a compartment for the purpose of transporting in his personal custody certain secret documents of the Navy.

SEC. 2. The Comptroller General of the United States is hereby authorized and directed to credit the accounts of Lieutenant Commander Earl LeRoy Bailey, Supply Corps, United States Navy, in the sum of \$80.95, representing the cost of extra half-fare railway ticket plus difference between cost of lower standard berth and compartment furnished Commander Cary W. Magruder, United States Navy, in April 1935, under orders which authorized the use of a compartment for the purpose of transporting in his personal custody certain secret documents of the Navy, which sum has been disallowed by the General Accounting Office in the accounts of Lieutenant Commander Bailey, Supply Corps.

Approved, May 15, 1937.

Lt. Comdr. Earl LeRoy Bailey, Navy.  
Credit in accounts.

[CHAPTER 208]

AN ACT

For the relief of Captain Benjamin Dutton, Junior, Captain C. H. J. Keppler, Commander Leo H. Thebaud, and Lieutenant Commander Gordon S. Bower, Supply Corps, United States Navy.

May 15, 1937  
[S. 1632]  
[Private, No. 89]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Captain Benjamin Dutton, Junior, United States Navy, in the amount of \$401.43; Captain C. H. J. Keppler, United States Navy, in the amount of \$1,078.76; Commander Leo H. Thebaud, United States Navy, in the amount of \$540.08; and Lieutenant Commander Gordon S. Bower, Supply Corps, United States Navy, in the amount of \$150.74, which sums represent payments of exchange relief made by these four officers to Captain Joseph J. A. McMullin, Medical Corps, United States Navy, in the amount of \$1,119.61; to Lieutenant Commander Lloyd E. Clifford, United States Navy, in the amount of \$540.08; and to Lieutenant (Junior Grade) F. P. Kreuz, Medical Corps, United States Navy, in the amount of \$511.32, and disallowed in their accounts by the Comptroller General of the United States.

Approved, May 15, 1937.

Capt. Benjamin Dutton, Jr., Navy, and others.  
Credit in accounts of.

[CHAPTER 209]

AN ACT

For the relief of Edward L. Gockeler.

May 15, 1937  
[H. R. 419]  
[Private, No. 90]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Edward L. Gockeler, of Saranac Lake, New York, formerly employed from September 18, 1917, to January 1, 1918, as a clerk by the Committee on Public Information, Washington, District of Columbia, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within six months after the date of enactment of this Act, for compensation for disability alleged to have resulted from tuberculosis contracted by him while in the performance of his duties as such employee, but compensation, if any, shall be paid from and after date of enactment of this Act.

Approved, May 15, 1937.

Edward L. Gockeler.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 748, 747.  
5 U. S. C. §§ 765-770.

Time limitation.

No back pay.

## [CHAPTER 210]

## AN ACT

May 15, 1937  
[H. R. 1315]  
[Private, No. 91]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knoll, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks.

W. J. Nolan and  
others.  
Claims of, for over-  
time labor, submitted  
to Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knoll, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks, all of Vallejo, California, for extra labor over and above the sixteen-hour period of duty per day required to be performed at Mare Island Navy Yard, California, which extra labor over said period was not in accordance with the order of the Secretary of the Navy, dated December 1, 1920: *Provided*, That the action in the Court of Claims to establish such losses and damages may be instituted within one year from the date of the approval of this Act, without regard to any statute of limitations.

*Proviso.*  
Commencement of  
suit.

Approved, May 15, 1937.

## [CHAPTER 211]

## AN ACT

For the relief of Edward C. Paxton.

May 15, 1937  
[H. R. 4681]  
[Private, No. 92]

Edward C. Paxton.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward C. Paxton the sum of \$1,374.50 in full satisfaction of his claim against the United States for the total of the amount disallowed in his expense accounts for travel and subsistence expenses incurred while traveling on a foreign vessel from New York City, New York, to Sydney, Australia, as a representative of the Foreign Agricultural Service, Department of Agriculture, and of the amount paid by the Government to a steamship company for transportation requests issued to and used by him in connection with said travel, and which the said Edward C. Paxton was required by the Comptroller General of the United States to refund to the United States prior to the approval of Private Law Numbered 450, Seventy-fourth Congress, and while such legislation was pending; which authorized and directed the Comptroller General to allow in the accounts of the said Edward C. Paxton in the sum of \$324.50 and to relieve him of any liability for the payment of the sum of \$1,050: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

49 Stat. 2246.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, May 15, 1937.

## [CHAPTER 212]

## AN ACT

For the relief of Melba Kuehl.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Melba Kuehl, postmaster at Breed, Wisconsin, the sum of \$103.07 in full satisfaction of her claim for compensation for services rendered while acting as such postmaster between the dates of April 24, 1933, and August 16, 1933, after the death of the former postmaster and before she was officially designated as such postmaster: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

May 15, 1937  
[S. 74]

[Private, No. 93]

Melba Kuehl.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 213]

## AN ACT

For the relief of the estate of Grace M. Moore, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Grace M. Moore, deceased, former postmaster at Fostoria, Michigan, with \$750.92, being the amount paid from postal receipts to Andy A. Moore for his voluntary services as acting postmaster at that office from January 5, 1933, to October 12, 1933, inclusive.

Approved, May 15, 1937.

May 15, 1937  
[S. 590]

[Private, No. 94]

Grace M. Moore  
(deceased).  
Adjustment of postal accounts, etc.

## [CHAPTER 214]

## AN ACT

For the relief of Alban C. Sipe.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General be, and he is hereby, authorized and directed to cancel the charge, in the amount of \$871.39, entered on the accounts of Alban C. Sipe, former postmaster at Broadview, Montana, by reason of his deposit of funds of the United States in the First National Bank, of Broadview, Montana, and the subsequent failure of such bank.

Approved, May 15, 1937.

May 15, 1937  
[S. 1147]

[Private, No. 95]

Alban C. Sipe.  
Charge against accounts of, canceled.

## [CHAPTER 215]

## AN ACT

For the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Henry H. Carr, owner of a certain farm consisting of three hundred and four acres of land, more or less, near Camp Knox in Hardin County,

May 15, 1937  
[H. R. 327]

[Private, No. 96]

Henry H. Carr and others.  
Suit for damages authorized.

Kentucky; and Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis, owners of a certain farm consisting of two hundred acres of land, more or less, near Camp Knox in Hardin County, Kentucky; and Hilory Wise and Flora A. Wise, owners of a certain farm consisting of two hundred and forty acres of land, more or less (in two separate fees of one hundred and twenty acres each, more or less) near Camp Knox in Hardin County, Kentucky, are, as such owner or owners, hereby authorized to bring such suit or suits as they may respectively desire to so do against the United States of America, to recover damages, if any, for loss or losses, which they may have sustained or suffered, as such respective owners, by reason of establishment, construction, or maintenance of Camp Knox in the State of Kentucky. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgments for the respective amounts of such damages, if any, as may be found to have been sustained or suffered by the said owners of said farms, with the same right of appeal as in other cases, and notwithstanding any lapse of time or statute of limitation: *Provided*, That such action will be brought within one year from the date that this Act shall become effective.

Approved, May 15, 1937.

Jurisdiction conferred upon district court.

*Proviso.*  
Time limitation.

#### [CHAPTER 216]

#### AN ACT

For the relief of William E. Graham.

May 15, 1937  
[H. R. 705]

[Private, No. 97]

William E. Graham.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the Government, the sum of \$3,500 to William E. Graham, son of John and Leva Graham, for the loss of his right eye and impaired hearing of his right ear, the result of having been struck in the right side of the face with a ball bat on May 27, 1934, in the hands of an enrollee of Camp Adams, Civilian Conservation Corps camp located in Adams County, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

#### [CHAPTER 217]

#### AN ACT

For the relief of C. A. Jones and Elbert Gentry.

May 15, 1937  
[H. R. 710]

[Private, No. 98]

C. A. Jones and  
Elbert Gentry.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to C. A. Jones, of Tyler, Texas, the sum of \$150, and to Elbert

Gentry, of Tyler, Texas, the sum of \$500. The payment of such sums shall be in full settlement of all claims against the United States for personal injuries and property damage received when the vehicle in which they were riding was struck near Tyler, Texas, on February 29, 1936, by a vehicle operated by an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 218]

AN ACT

For the relief of John Mack.

May 15, 1937  
[H. R. 844]

[Private, No. 99]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Mack, Cataldo, Idaho, the sum of \$442.40. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said John Mack on account of personal injuries received on October 5, 1935, when the car in which he was riding on United States Highway Numbered 10, near Kellogg, Idaho, was struck by a Government truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

John Mack.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 219]

AN ACT

For the relief of V. P. Johnson.

May 15, 1937  
[H. R. 4242]

[Private, No. 100]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to V. P. Johnson, of Vicksburg, Mississippi, out of any money in the Treasury not otherwise appropriated, the sum of \$500 in full satisfaction of his claim against the United States for loss by fire of motorboat on April 24, 1927, while said boat was leased by the United States Engineers and in the service of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10

V. P. Johnson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.



Penalty for viola-  
tion.

per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 225]

AN ACT

For the relief of Sallie Gillespie.

May 18, 1937  
[H. R. 4591]  
[Private, No. 101]

Sallie Gillespie.  
Provisions of Em-  
ployees' Compensation  
Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Sallie Gillespie, the widow of Lynus P. Gillespie, of Millett, Texas, who is alleged to have sustained an injury while employed as a patrol inspector and prohibition agent about the first part of July 1927 which resulted in his death on June 16, 1929, and her case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months after the date of the enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

*Proviso.*  
No prior benefits.

Approved, May 18, 1937.

[CHAPTER 228]

AN ACT

For the relief of Warren J. Fox.

May 19, 1937  
[S. 1590]  
[Private, No. 102]

Warren J. Fox.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$107.75 to Warren J. Fox, of Amity, Arkansas, in full satisfaction of all his claims against the United States for reimbursement for time, money, and effort expended by him in improving the tract of land (the north one-half of the southwest quarter of section 5, township 6 south, range 24 west, fifth principal meridian of Arkansas) which he was erroneously allowed by the General Land Office to enter as a homestead when it was in fact already privately owned: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, May 19, 1937.

## [CHAPTER 232]

## AN ACT

To authorize the Secretary of War to convey to the International Young Men's Christian Association College and to the trustees of the Gunn Realty Trust all right, title, and interest of the United States in and to certain lands in Hampden County, Massachusetts.

May 20, 1937  
[H. R. 4892]  
[Private, No. 103]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized and directed to execute, and to deliver to the International Young Men's Christian Association College of Springfield, Massachusetts, a deed conveying to such college all right, title, and interest of the United States in and to certain lands (together with improvements thereon) situated in Hampden County, Massachusetts, being two parcels described as follows:

International  
Young Men's Christian  
Association College,  
Springfield,  
Mass.  
Conveyance of cer-  
tain lands to.

Parcel 1. Beginning at an iron rod in the northerly line of Hickory Street, in Springfield, Hampden County, Commonwealth of Massachusetts, said iron rod being one hundred feet westerly on said northerly line from a stone bound placed in the point of intersection of said northerly line with the westerly line of Middlesex Street; thence westerly on said northerly line of said Hickory Street thirty-one feet to a point; thence north twenty-one degrees thirty-five minutes east thirty-three and fifteen one-hundredths feet to the agreement line as described in a deed of Edwin H. Robbins to International Young Men's Christian Association College, dated May 28, 1926, recorded in Hampden County registry of deeds in book 1316 on page 367 and in deed of International Young Men's Christian Association College to Edwin H. Robbins of the same date and recorded in said registry of deeds in book 1316 on page 368; thence southeasterly along said agreement line twenty-six and eighty-eight one-hundredths feet to the place of beginning;

Description.

Parcel 2. Beginning at the point of intersection of the agreement line referred to in parcel 1 with the southerly line of lot 19 as shown on a plan of lots filed in Hampden County registry of deeds in book of plans M on page 44 and running thence northwesterly along said agreement line eleven and seventy-six one-hundredths feet to lot 17 on said plan; thence continuing along said agreement line and in the same course twenty and sixteen one-hundredths feet to a point; thence continuing along said agreement line but in a westerly course twenty feet more or less to a point, said point being in the southwesterly line of land of the United States of America; thence south forty degrees east forty feet more or less along said line of the United States of America to a point; thence south sixty-eight degrees thirty minutes east twenty-five and five one-hundredths feet to a point in said agreement line; thence northwesterly along said agreement line fourteen and seventeen one-hundredths feet to the place of beginning;

Intended to describe in the above two parcels the land of the United States of America lying northerly of Hickory Street, and westerly and southerly of said agreement line, which said land is a portion of that described as the third parcel in a deed of Samuel Aspinwall, guardian of Philip F. Aspinwall, to the United States of America, dated November 12, 1857, and recorded in said registry of deeds in book 193 on page 57.

SEC. 2. The Secretary of War is authorized and directed to execute, and to deliver to the trustees of the Gunn Realty Trust, a deed conveying to such trustees all right, title, and interest of the United States in and to certain lands (together with improvements thereon) situated in Hampden County, Massachusetts, described as follows:

Trustees of the  
Gunn Realty Trust.  
Conveyance of cer-  
tain lands to.

Beginning at a point on the northerly side of Hickory Street, in Springfield, Hampden County, Commonwealth of Massachusetts,

Description.

said point being sixty-one and seventy one-hundredths feet westerly along the northerly side of said Hickory Street from a stone bound at the northwesterly intersection of Hickory Street with Middlesex Street and running thence north thirty-five degrees five minutes west forty-eight and eighteen one-hundredths feet to a point; thence north twenty degrees west forty-eight and eighteen one-hundredths feet to a point; thence north fifty-three degrees west fifty and sixteen one-hundredths feet to a point; thence north seventy degrees forty-five minutes west forty-four and eighty-eight one-hundredths feet to a point; thence north fifty degrees forty-five minutes west forty-four and twenty-two one-hundredths feet to a point; thence north fifty-one degrees forty-five minutes west forty-nine and fifty one-hundredths feet to a point; thence north fifty-eight degrees fifteen minutes west forty and twenty-six one-hundredths feet to a point; thence south eighty degrees west thirty-seven and sixty-two one-hundredths feet to a point; thence south forty-two degrees thirty-five minutes east forty-one and fifty-eight one-hundredths feet to a point; thence south fifty-nine degrees fifteen minutes east eighty-four and forty-eight one-hundredths feet to a point; thence south forty degrees east twenty feet more or less to the agreement line as described in a deed of Edwin H. Robbins to International Young Men's Christian Association College, dated May 28, 1926, recorded in Hampden County registry of deeds in book 1316 on page 367 and in deed of International Young Men's Christian Association College to Edwin H. Robbins of the same date and recorded in said registry of deeds in book 1316 on page 368; thence southeasterly along said agreement line twenty feet more or less to a point; thence southeasterly along said agreement line twenty and sixteen one-hundredths feet to a point in the westerly line of lot nineteen on a plan of lots filed in said registry of deeds in book of plans M on page 44; thence continuing southeasterly along said agreement line eleven and seventy-six one-hundredths feet to a point in the northerly line of lot 20 on said plan; thence continuing along said agreement line and in the same course fourteen and seventeen one-hundredths feet to a point; thence south sixty-eight degrees thirty minutes east forty-two and ninety-two one-hundredths feet to a point; thence south twenty-seven degrees twenty minutes east forty-four and twenty-two one-hundredths feet to a point; thence south twenty-one degrees thirty-five minutes west thirteen and five one-hundredths feet to the point of intersection of said course with said agreement line; thence southeasterly along said agreement line twenty-six and eighty-eight one-hundredths feet to an iron rod in the northerly line of Hickory Street; thence east along said northerly line of said Hickory Street thirty-eight and thirty one-hundredths feet to the place of beginning;

Intending to describe in the above parcel land of the United States of America lying northerly of Hickory Street, westerly of Middlesex Street, and southerly of Barnstable Street, which said land is a portion of that described as third parcel in deed of Samuel Aspinwall, guardian of Philip F. Aspinwall, to the United States of America, dated November 12, 1857, and recorded in said registry of deeds in book 193 on page 57, and land described as third parcel in deed of Jonathan Carlisle to the United States of America, dated November 5, 1857, and recorded in said registry of deeds in book 193 on page 59.

Payment of expenses, etc.

SEC. 3. The grantees in such deeds shall bear any expenses (other than for the preparation of such deeds) necessary to carry out this Act, but shall not be required to pay any consideration for the right, title, and interest conveyed.

Approved, May 20, 1937.

## [CHAPTER 233]

## AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor William Hollister.

May 20, 1937  
[H. R. 5142]  
[Private, No. 104]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor William Hollister, of New Bern, North Carolina, in accordance with the provisions of first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Dr. William Hollister.  
License to practice the healing art in the District of Columbia granted to.

45 Stat. 1334.

Approved, May 20, 1937.

## [CHAPTER 234]

## AN ACT

For the relief of Charles Somogi, Junior.

May 20, 1937  
[H. R. 5354]  
[Private, No. 105]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Somogi, Junior, the sum of \$2,500 in full settlement of all claims against the Government of the United States for injuries received by him when he was struck and injured on August 24, 1928, near West Portal, county of Hunterdon, New Jersey, by an automobile driven by one Orville McGee, who was employed at that time and whose car was used at that time in the employ of the Department of Commerce, Bureau of Lighthouses, United States Government: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles Somogi, Jr.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 20, 1937.

## [CHAPTER 238]

## AN ACT

For the relief of Doctor E. T. Kirkendall.

May 22, 1937  
[H. R. 1119]  
[Private, No. 106]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Doctor E. T. Kirkendall, of Columbus, Ohio, the sum of \$2,000 in full settlement of his claim against the United States for personal injuries and property damage sustained when the car in which he was riding was hit by a Government truck in the service of the Civilian Conservation Corps, October 24, 1935, at the intersection of

Dr. E. T. Kirkendall.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Fifth Avenue and Nelson Road, Columbus, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1937.

[CHAPTER 239]

AN ACT

For the relief of James M. Winter.

May 22, 1937  
[H. R. 1346]

[Private, No. 107]

James M. Winter.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of James M. Winter, a former employee of the Army Transport Service, for disability alleged to have been incurred between September 16, 1918, and June 30, 1920, and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim under the remaining provisions of said Act: *Provided*, That claim hereunder shall be made within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, May 22, 1937.

*Provisos.*  
Time limitation.  
No prior benefits.

[CHAPTER 240]

AN ACT

For the relief of Helen Marie Lewis.

May 22, 1937  
[H. R. 2218]

[Private, No. 108]

Helen Marie Lewis.  
Redemption of mutilated Liberty bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Helen Marie Lewis, Independence, Missouri, a United States temporary coupon bond, the serial number of which is unknown, for \$50 of the Second Liberty Loan converted 4¼ per centum per annum bonds of 1927-1942, with interest from May 15, 1920, to November 15, 1927, the date on which bonds of that loan were called for redemption, without presentation of the missing portions of the bond, large portions having been presented to the Treasury Department: *Provided*, That the missing portions of the said bond shall not have been previously presented or ascertained to be in existence and that no payment shall be made hereunder for any coupons which may have been attached to the temporary bond: *And provided further*, That the said Helen Marie Lewis shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said bond and the interest payable thereon from May 15, 1920, to November 15, 1927, inclusive, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the mutilated bond hereinbefore described.

Approved, May 22, 1937.

*Provisos.*  
Condition.

Surety bond.

## [CHAPTER 241]

## AN ACT

For the relief of George T. Heppenstall.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George T. Heppenstall, of Seattle, Washington, the sum of \$301.50, in full satisfaction of his claim against the United States on account of injuries growing out of the accident on March 25, 1935, near Angle Lake, King County, Washington, when an automobile in which he was riding was struck by a Civilian Conservation Corps truck negligently driven: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1937.

May 22, 1937  
[H. R. 4329]  
[Private, No. 109]

George T. Heppenstall.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 242]

## AN ACT

Granting a pension to Helen H. Taft.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen H. Taft, widow of William Howard Taft, late a President of the United States, and to pay her a pension at the rate of \$5,000 per annum.

Approved, May 22, 1937.

May 22, 1937  
[H. R. 6566]  
[Private, No. 110]

Helen H. Taft.  
Pension granted to.

## [CHAPTER 250]

## AN ACT

To confer jurisdiction on the United States District Court for the Southern District of New York to hear, determine, and render judgment on the claim of A. Mateos and Sons, owner of the coal hulk Callixene.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of A. Mateos and Sons, owner of the coal hulk Callixene, against the United States for damages alleged to have been sustained by the Callixene as the result of a collision with the United States ships Seneca and Ophir in the harbor of Gibraltar, Spain, on February 10, 1919, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that such court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such

May 24, 1937  
[H. R. 4778]  
[Private, No. 111]

A. Mateos and Sons.  
Claim of, submitted to District Court.

Jurisdiction conferred.

*Provisos.*  
Notice to Attorney  
General.

Commencement of  
suit.

damages and costs, if any, as shall be found due against the United States in favor of the said A. Mateos and Sons, or against the said A. Mateos and Sons in favor of the United States, by reason of such collision, upon the same principles and under the same measures of liability as in like cases between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this Act.

Approved, May 24, 1937.

#### [CHAPTER 251]

#### AN ACT

For the relief of the estate of Robert Edwin Lee.

May 24, 1937  
[H. R. 5311]  
[Private, No. 112]

Robert Edwin Lee.  
of. Payment to estate

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of Robert Edwin Lee, late of Murrells Inlet, South Carolina, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said estate of Robert Edwin Lee on account of his death when the vehicle in which he was a passenger was struck on November 12, 1934, near Awendaw, South Carolina, by a truck in the services of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 24, 1937.

#### [CHAPTER 257]

#### AN ACT

For the relief of the Union Shipping and Trading Company, Limited.

May 25, 1937  
[H. R. 859]  
[Private, No. 113]

Union Shipping and  
Trading Company,  
Ltd.  
Claim of, submitted  
to District Court.

Jurisdiction conferred.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of the Union Shipping and Trading Company, Limited, against the United States of America for damages alleged to have been caused by a collision on April 25, 1918, near Pauillac, in the Gironde River, France, between the Spanish steamship *Consuelo* (at the time of the collision the British steamship *Reims*) and the American steamship *Berwind*, then in the transport service of the United States War Department, may be sued for by the said Union Shipping and Trading Company, Limited, in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit (in accordance with the principles of libels in rem and/or in personam), and to enter a

judgment or decree for the amount of such damages (not including interest) and costs, if any, as shall be found to be due against the United States in favor of the said Union Shipping and Trading Company, Limited, or against the said Union Shipping and Trading Company, Limited, in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That at the trial of said suit the written report or reports concerning said collision made by the pilot, master, any officer or member of the crew of the steamship Berwind, who is not available to testify because he is dead or cannot be found, may be admitted in evidence if offered in behalf of the United States: *Provided further*, That such notice of the said suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

Approved, May 25, 1937.

*Provisos.*  
Admissibility of certain reports in evidence.

Notice to Attorney General.

Commencement of suit.

[CHAPTER 258]

AN ACT

For the relief of Luvenia Flowers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Luvenia Flowers, of Coward, South Carolina, widow of Andrew Flowers, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the widow of Andrew Flowers on account of the loss of the life of her husband, who was killed on October 12, 1934, near Coward, South Carolina, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 25, 1937.

May 25, 1937  
[H. R. 1790]  
[Private, No. 114]

Luvenia Flowers.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 259]

AN ACT

For the relief of Donald L. Bookwalter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$90, to Donald L. Bookwalter, of Dayton, Ohio, in full satisfaction of his claim against the United States for services rendered, from April 1 to June 12, 1935, to the Federal Emergency Relief Administration of the United States Government in transporting

May 25, 1937  
[H. R. 2352]  
[Private, No. 115]

Donald L. Bookwalter.  
Payment to.



clients from the Dayton (Ohio) Transient Service Bureau to United States Government transient camps at Patterson Field, at Fairfield, Ohio, under and in pursuance of a plan formulated by the Federal Emergency Relief Administration, and while he was an employee thereof.

Limitation on attorney's, etc., fees.

Penalty for violation.

SEC. 2. That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 25, 1937.

[CHAPTER 260]

AN ACT

For the relief of D. B. Carter.

May 25, 1937  
[H. R. 3573]  
[Private, No. 116]

D. B. Carter.  
Payment to.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to D. B. Carter, of Richmond, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 in full settlement of all claims against the Government of the United States for personal injuries caused by an automobile truck leased to the United States Coast and Geodetic Survey, and driven by an enlisted man named Frank Swoveland, on January 14, 1934, about five miles west of Portsmouth, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 25, 1937.

[CHAPTER 265]

AN ACT

For the relief of B. B. Odom and Lilla Odom.

May 25, 1937  
[H. R. 3773]  
[Private, No. 117]

B. B. Odom and  
Lilla Odom.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. B. Odom and Lilla Odom, of Eatonton, Georgia, jointly, the sum of \$805 in full satisfaction of their claim against the United States for the value of one hundred and sixty-one acres of land at \$5 per acre, located in Putnam County, Georgia, which they conveyed by deed to the Government, represented by the Resettlement Administration, then the Federal Emergency Relief Administration, said deed describing the land as six hundred and thirty acres, more or less, on the basis of which they were paid, but upon survey by the General Land Office the tract was found to contain seven hundred

and ninety-one acres, exceeding by the said one hundred and sixty-one acres the tract of land described and conveyed by said deed: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall upon conviction thereof be deemed guilty of a misdemeanor and fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 25, 1937.

[CHAPTER 267]

AN ACT

For the relief of Albert Wheeler.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Albert Wheeler, Davis City, Iowa, the sum of \$403.37, such sum to be in full settlement of all claims against the United States for damages sustained by him as the result of personal injuries received by his wife when struck by a Civilian Conservation Corps truck on August 28, 1935, at Davis City, Iowa, from which injuries she died on September 1, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

May 26, 1937  
[H. R. 593]  
[Private, No. 118]

Albert Wheeler.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1937.

[CHAPTER 271]

AN ACT

For the relief of May Howard Bloedorn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to May Howard Bloedorn the sum of \$4,500, in full settlement of her claim against the United States for the destruction of certain houses situate in lots 950 and 962, square 5869, at Anacostia, District of Columbia, by the so-called bonus marchers in 1932; said houses having been loaned, at the request of an officer of the Metropolitan Police Department of Washington, District of Columbia, for the shelter of certain sick marchers, by the said May Howard Bloedorn: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

May 27, 1937  
[H. R. 1092]  
[Private, No. 119]

May Howard Bloedorn.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 27, 1937.

## [CHAPTER 272]

## AN ACT

For the relief of William A. McMahan.

May 27, 1937  
[H. R. 1254]  
[Private, No. 120]William A. McMahan.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.*Proviso.*  
Time limitation.  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of William A. McMahan, of El Paso, Texas, for disability alleged to have been incurred by him during the period from September 1923 through February 1924, while in the employment of the Post Office Department as postmaster at Sidon, Arkansas, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the enactment of this Act.

Approved, May 27, 1937.

## [CHAPTER 294]

## AN ACT

For the relief of Horace Hutcheson, a minor.

June 2, 1937  
[H. R. 1280]  
[Private, No. 121]Horace Hutcheson.  
Payment to guardian of.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to the legal guardian of Horace Hutcheson, a minor, of Jasper, Alabama, in full settlement of all claims against the Government of the United States for injuries received by said minor on the 3d day of July 1936 as the result of an explosion of a dynamite cap, or detonator, the property of the United States, which was negligently left in an unprotected manner by the employees of the Works Progress Administration, an agency of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 2, 1937.

## [CHAPTER 298]

## AN ACT

For the relief of Marion McGlothlin, the Baylor Hospital, Doctor F. M. Gilbert, and Doctor T. C. Gilbert.

June 3, 1937  
[H. R. 860]  
[Private, No. 122]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion McGlothlin, of Dallas County, Texas, the sum of \$7,500, in full satisfaction of her claim against the United States for the death of her husband, F. Marion McGlothlin, and for personal and permanent injuries suffered by herself, when they were shot without cause by Federal prohibition agents at their store, near Irving, Dallas County, Texas, on the night of April 8, 1932.

Marion McGlothlin.  
Payment to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Baylor Hospital, of Dallas, Texas, the sum of \$27.50; to Doctor F. M. Gilbert, of Irving, Texas, the sum of \$11; and to Doctor T. C. Gilbert, of Dallas, Texas, the sum of \$150; in all, \$188.50, in full satisfaction of their claims against the United States for medical, surgical, and hospital care and treatment rendered Marion McGlothlin, who suffered personal injuries when she was shot without cause by Federal prohibition agents, near Irving, Dallas County, Texas, on April 8, 1932.

Baylor Hospital of Dallas, Tex., and others.  
Payment to.

SEC. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1937.

## [CHAPTER 299]

## AN ACT

For the relief of Hedwig Grassman Stehn.

June 3, 1937  
[H. R. 2469]  
[Private, No. 123]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hedwig Grassman Stehn of Bridgeport, Connecticut, the sum of \$1,500, in full settlement of all claims against the Government of the United States for personal injuries to her as a result of the explosions of munitions on board the United States Army steam lighter Amackassin anchored at Fort Hamilton (Brooklyn), New York, on December 5, 1920: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Hedwig Grassman Stehn.  
Payment to.

Proriso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1937.

[CHAPTER 300]

AN ACT

For the relief of William Randolph Cason.

June 3, 1937  
[H. R. 3268]  
[Private, No. 124]

William Randolph  
Cason.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Randolph Cason, of West Asheville, North Carolina, the sum of \$2,000 in full settlement of his claim against the United States for personal injuries received when a shell, which was left on the premises of the said William Randolph Cason by the armed forces of the United States at Camp Sevier, South Carolina, exploded while the land was being cleared for cultivation on March 24, 1919: *Provided,* That no part of the amount appropriated in this Act in excess of ten per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 3, 1937.

[CHAPTER 301]

AN ACT

For the relief of Miles C. Baxter, Anse Cockran, Sam Cornett, Mrs. Louie Hesterly, and Mrs. George Lovell.

June 3, 1937  
[H. R. 4870]  
[Private, No. 125]

Miles C. Baxter and  
others.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Miles C. Baxter, Riverside, Alabama, the sum of \$500; to Anse Cockran, Riverside, Alabama, the sum of \$250; to Sam Cornett, Eden, Alabama, the sum of \$100; to Mrs. Louie Hesterly, Pell City, Alabama, the sum of \$250; and to Mrs. George Lovell, Pell City, Alabama, the sum of \$250. The payment of such sums shall be in full settlement of all claims against the United States for personal injuries to the above-named persons as a result of being struck, on September 3, 1936, on United States Highway Numbered 78, near Riverside, Alabama, by a vehicle in the service of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 3, 1937.

[CHAPTER 302]

AN ACT

For the relief of the Great Northern Railway Company.

June 7, 1937  
[H. R. 3354]  
[Private, No. 126]

Great Northern  
Railway Company.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Great Northern Railway Company, Saint Paul, Minnesota,

of any money in the Treasury not otherwise appropriated, the sum of \$1,298.50 in full satisfaction of its claim against the United States for a refund of construction charges on a grant of thirty-seven and one-tenth acres of land in the Sun River irrigation project in the State of Montana upon which the said Great Northern Railway Company proposed to locate and construct a line of railway under the Act of March 3, 1875, which line of railway was never constructed, and which grant was canceled by court decree in April, 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 7, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 304]

AN ACT

For the relief of Eliza Boykin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$4,088 to Eliza Boykin, of Algiers, Louisiana, in full satisfaction of her claim against the United States for compensation due her as the unmarried widow of Archie Boykin, deceased, the checks for which compensation were received by another person without the knowledge of the said Eliza Boykin and cashed by such other person, who received the money paid thereon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 8, 1937.

June 8, 1937  
[H. R. 3926]  
[Private, No. 127]

Eliza Boykin.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 310]

AN ACT

For the relief of John W. Bolin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions and limitations of sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of John W. Bolin, of Salem, Oregon; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within one year after the date of the enactment of this Act, by said John W. Bolin for medical treatment under the provisions of said Act of September 7, 1916, as amended, for disability alleged

June 9, 1937  
[H. R. 1232]  
[Private, No. 128]

John W. Bolin.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 767, 770.

*Proviso.*  
No prior benefits.

to be due to injury received by him while employed as a mail carrier at Salem, Oregon, during August 1924: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 9, 1937.

[CHAPTER 312]

AN ACT

For the relief of Farley J. Holloman.

June 10, 1937  
[S. 451]

[Private, No. 129]

Farley J. Holloman.  
Disability claim of,  
consideration author-  
ized.

48 Stat. 351.

*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission be, and is hereby, authorized and directed to consider the claim of Farley J. Holloman, of Ada, Oklahoma, a former employee of the Civil Works Administration, for injuries received on or about March 3, 1934, while working on a CWA project at the Smith gravel pit located about eight miles east of Ada, Oklahoma, under the provisions of an Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934, notwithstanding the lapse of more than one year in filing such claim: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 10, 1937.

[CHAPTER 313]

AN ACT

For the relief of John E. Sandage.

June 10, 1937  
[H. R. 1304]

[Private, No. 130]

John E. Sandage.  
Disability claim of,  
consideration author-  
ized.

*Provisos.*  
No prior benefits.

Time limit for filing  
claim.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of John E. Sandage on account of disability due to loss of an eye alleged to have been proximately caused by his employment in the service of the United States between September 8, 1929, and December 31, 1932: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That claim hereunder shall be filed within six months after the approval of this Act.

Approved, June 10, 1937.

[CHAPTER 314]

AN ACT

For the relief of Frank Cubero.

June 10, 1937  
[H. R. 2554]

[Private, No. 131]

Frank Cubero.  
Provisions of Em-  
ployees' Compensa-  
tion Act extended to.

39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Frank Cubero (claim numbered 475406); and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the

Commission within one year after the date of the enactment of this Act by said Frank Cubero for compensation under the provisions of said Act of September 7, 1916, as amended, for disability alleged to be due to injuries received by him while employed in the folding room of the House of Representatives, in February 1935: *Provided*, That compensation, if any, shall be paid from and after the date of enactment of this Act, except the reasonable and necessary medical and other expenses resulting from the alleged injury, and heretofore incurred, may be allowed.

Approved, June 10, 1937.

*Proviso.*  
No prior compensation; expenses allowed.

[CHAPTER 315]

AN ACT

For the relief of Jacob G. Ackerman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Jacob G. Ackerman of Scottsville, New York, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for injury to his right leg alleged to have been incurred by him during February 1927 while an employee of the United States post office at Rochester, New York: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 10, 1937.

June 10, 1937  
[H. R. 5206]  
[Private, No. 132]

Jacob G. Ackerman.  
Provisions of Employees' Compensation Act extended to.

39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Provisos.*  
Time limit for filing claim.  
No prior benefits.

[CHAPTER 318]

AN ACT

For the relief of Lieutenant Joseph N. Wenger, United States Navy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Joseph N. Wenger, lieutenant, United States Navy, as provided in section 12 of the Act of May 18, 1920 (41 Stat. 604; U. S. C., title 10, sec. 756), for \$494.57 in full satisfaction against the United States for the cost of commercial transportation of his wife from Washington, District of Columbia, to Manila, Philippine Islands, pursuant to change-of-station orders dated April 19, 1932, there not being reasonably available Government transportation for his wife between said stations. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding \$494.57 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

June 11, 1937  
[S. 274]  
[Private, No. 133]

Lt. Joseph N. Wenger, Navy.  
Settlement of claim.

41 Stat. 604.  
10 U. S. C. § 756.

Appropriation.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.



## [CHAPTER 319]

## AN ACT

For the relief of R. R. Purcell.

June 11, 1937

[S. 522]

[Private, No. 134]

R. R. Purcell.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. R. Purcell, of Helena, Montana, the sum of \$86.06 in full satisfaction of his claim against the United States for expenses incurred in traveling from Breckenridge, Minnesota, to Fort Harrison, Montana, and return, pursuant to his appointment, on August 8, 1933, as a member of a special board of review of the Veterans' Administration at Fort Harrison, Montana, such R. R. Purcell being ineligible to serve thereon because of his appointment, prior thereto and unknown to him, as director of the National Reemployment Service in Montana: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

## [CHAPTER 320]

## AN ACT

Authorizing the return of the commission of John Baptiste Ashe as a major in the Continental Army to Martha B. Rogers, nee Ashe.

June 11, 1937

[S. 1507]

[Private, No. 135]

John Baptiste Ashe.  
Commission of, to be delivered to Martha B. Rogers, nee Ashe.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General is authorized and directed to deliver to Martha B. Rogers, nee Ashe, great-granddaughter of the late John Baptiste Ashe, formerly a lieutenant colonel in the Continental Army, the commission of the said John Baptiste Ashe as a major in such Continental Army, signed by John Jay, President of the Congress, in 1779, which commission is now a part of the permanent records of the General Accounting Office.

Approved, June 11, 1937.

## [CHAPTER 321]

## AN ACT

For the relief of Frank Fisher.

June 11, 1937

[S. 1572]

[Private, No. 136]

Frank Fisher.  
Military record corrected.*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank Fisher, who was a member of Troop E, Second Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 19th day of June 1884: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, June 11, 1937.

## [CHAPTER 322]

## AN ACT

Granting an annuity to Frank W. Carpenter.

June 11, 1937  
[S. 1699]  
[Private, No. 137]Frank W. Carpen-  
ter.  
Annuity payment  
granted to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in recognition of the many years of distinguished and conspicuous service of Frank W. Carpenter to the United States in the Philippine Islands, including the negotiation of a treaty in 1915 with the Sultan of Sulu making it possible for the United States to hold the islands throughout the World War without the utilization of its armed forces, at the same time removing a fundamental obstacle to Philippine independence, and in further recognition of the fact that such years of service resulted in his permanent and total disability, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Frank W. Carpenter, former Governor of the Moro Province and of the Department of Mindanao and Sulu, Philippine Islands, an annuity at the rate of \$1,800 per annum, in monthly installments, the first installment to be due and payable on the 1st day of the month after which this Act is enacted: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

## [CHAPTER 323]

## AN ACT

For the relief of James A. Fox.

June 11, 1937  
[S. 1753]  
[Private, No. 138]James A. Fox.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$328 to James A. Fox, of West Plains, Missouri, in full satisfaction of all his claims against the United States for damages sustained by him as the result of personal injuries received on July 27, 1936, when a dynamite explosion on Works Progress Administration project numbered 976 blew a large segment of stump through the top of the automobile in which he was riding: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

## [CHAPTER 324]

## AN ACT

June 11, 1937  
[S. 2059]  
[Private, No. 139]

To authorize Austin H. Clark and Ellsworth P. Killip, of the United States National Museum, to accept certain decorations respectively from the Danish and French Governments.

Austin H. Clark.  
Acceptance of decoration from Denmark authorized.

Ellsworth P. Killip.  
Acceptance of decoration from France authorized.

Delivery by Department of State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Austin H. Clark, of the United States National Museum, be authorized to accept the Cross of Chevalier of the Order of Dannebrog tendered him by the Danish Government in recognition of his scientific work; and that Ellsworth P. Killip, of the United States National Museum, be authorized to accept the Cross of the Chevalier of the Legion of Honor tendered him by the French Government in recognition of his scientific work, and further that the Department of State be authorized to deliver said decorations respectively to the said Austin H. Clark and Ellsworth P. Killip.

Approved, June 11, 1937.

## [CHAPTER 325]

## AN ACT

For the relief of Minnie D. Hines.

June 11, 1937  
[H. R. 1759]  
[Private, No. 140]

Minnie D. Hines.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Minnie D. Hines, of Saint Joseph, Missouri, in full satisfaction of her claim against the United States for refund of a sum paid by her to the United States by reason of forfeiture of the bail bond in the amount of \$4,000, on September 24, 1929, of one Jack Beaver, who was indicted and failed to appear on charges of violating the National Prohibition Act, and who was later taken into custody and surrendered to the United States District Court for the Western District of Missouri and was convicted and sentenced: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

## [CHAPTER 326]

## AN ACT

For the relief of John Zarnick.

June 11, 1937  
[H. R. 3963]  
[Private, No. 141]

John Zarnick.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Zarnick, of Detroit, Michigan, the sum of \$2,500 in full settlement of all claims against the Government of the United

States on account of the loss of his right arm, resulting from having his said right forearm torn from the elbow on October 7, 1929, while operating an extractor in the laundry and in line of duty while serving as an inmate of the United States Penitentiary Annex at Fort Leavenworth, Kansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 328]

AN ACT

For the relief of W. B. Greeley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to W. B. Greeley, of Seattle, Washington, the sum of \$908.50, in full satisfaction of his claim against the United States for damages for personal injuries sustained by him on February 1, 1935, near the Fourth Avenue Bridge, Olympia, Washington, when he was struck by a Civilian Conservation Corps motor truck driven by Owen E. Cole, an employee of the Civilian Conservation Corps, Camp Matlock, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937  
[S. 556]

[Private, No. 142]

W. B. Greeley.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 329]

AN ACT

For the relief of Jordan Roberts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Jordan Roberts, of Murfreesboro, Arkansas, the sum of \$300 in full satisfaction of his claim for damages arising out of personal injuries sustained by him when the truck upon which he was riding was struck by a Civilian Conservation Corps truck, driven by an enrollee of the Civilian Conservation Corps, on Highway Numbered 26, near Murfreesboro,

June 11, 1937  
[S. 1471]

[Private, No. 143]

Jordan Roberts.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Arkansas, on December 14, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 330]

AN ACT

For the relief of the estate of Charles White.

June 11, 1937  
[S. 1479]  
[Private, No. 144]

Charles White.  
Payment to estate of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$250 to the estate of Charles White, late of Gonzalez, Florida, in full satisfaction of all claims of such estate against the United States for damages for losses resulting from the destruction by members of the Seven Hundred and Fifty-seventh Civilian Conservation Corps Company of approximately one hundred trees growing on property owned by the said Charles White and occupied by such company under a lease dated October 3, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 331]

AN ACT

For the relief of First Lieutenant R. G. Cuno.

June 11, 1937  
[H. R. 856]  
[Private, No. 145]

Lt. R. G. Cuno.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to First Lieutenant R. G. Cuno, retired, formerly second lieutenant, Air Corps, Langley Field, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$851.61, such sum to be in full settlement of all claims against the United States on account of damage to and destruction of personal property of the said Lieutenant R. G. Cuno stored by the quartermaster in the quartermaster warehouse at Langley Field, Virginia, the said damage to and destruction of said property having resulted from the flooding of said warehouse during the storm of August 23, 1933, without fault or negligence on the part of the said Lieutenant R. G. Cuno and while he was a patient, sick in line of duty, at Walter Reed Hospital and unable to protect his interest in said property: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be

unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 332]

AN ACT

For the relief of Carter R. Young.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carter R. Young, of Denver, Colorado, the sum of \$4,500, in full settlement of all claims against the United States for personal injuries sustained by him, by his wife Virginia, and by their minor son William, on August 1, 1936, by reason of a collision of their car with an unlighted United States Army truck left standing on United States Highway Numbered 87 about two and one-half miles southwest of Berthoud, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937  
[H. R. 2360]

[Private, No. 146]

Carter R. Young.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 333]

AN ACT

For the relief of Howard Hefner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Howard Hefner the sum of \$2,000 in full settlement of all damages sustained by him as the result of permanent personal injuries inflicted upon him when, on May 26, 1935, the car which he, Howard Hefner, was driving on State Highway Numbered 11 was struck by a United States Forestry truck driven by one Grady Helton at a point on said highway about one mile north of Cleveland, Georgia, and near a place known as "Skeet's Place" on a deep curve on said highway, the said Howard Hefner being on his side of the road when the accident occurred: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937  
[H. R. 2673]

[Private, No. 147]

Howard Hefner.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

## [CHAPTER 334]

## AN ACT

For the relief of Colonel J. P. Barney.

June 11, 1937  
[H. R. 3841]  
[Private, No. 148]

Col. J. P. Barney,  
Army.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Colonel J. P. Barney, United States Army, the sum of \$3,000 in full settlement of all claims against the United States Government for loss of his personal effects while on duty with the Eighth Field Artillery at Schofield Barracks, Territory of Hawaii, on June 14, 1931: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

## [CHAPTER 339]

## AN ACT

For the relief of S. T. Dickinson.

June 14, 1937  
[S. 673]  
[Private, No. 149]

S. T. Dickinson.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Employees' Compensation Commission is hereby authorized and directed to pay, from the employees' compensation fund, to S. T. Dickinson, of Richmond, Virginia, the sum of \$312.30, said sum to be in full settlement of any and all claims against the Government for medical care, hospitalization, and incidental expenses incurred as a result of injuries received on June 3, 1931, while in the performance of his official duties as an employee of the Naval Supply Depot, Brooklyn, New York: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

## [CHAPTER 340]

## AN ACT

For the relief of H. G. Carriere, Charles E. Livingston, and John Latham.

June 14, 1937  
[S. 1081]  
[Private, No. 150]

H. G. Carriere and  
others.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$75 to H. G. Carriere, the sum of \$40 to Charles E. Livingston, and the sum of \$125 to John Latham, all of Camp Crook, South

Dakota, in full satisfaction of their claims against the United States for damages arising out of the loss by each of them of a horse which horses were killed in 1934, while being worked, under contract with the owners, by employees of the Forest Service, United States Department of Agriculture, in connection with emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 14, 1937.

[CHAPTER 341]

AN ACT

For the relief of John Kelley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of John Kelley, father of Ruth Rita Kelley, who died on June 17, 1929, as a result of pulmonary tuberculosis allegedly contracted while a civil employee of the United States in the Public Health Service: *Provided*, That no benefits shall accrue prior to the approval of this Act: *Provided further*, That claim hereunder shall be filed within six months from the approval of this Act.

Approved, June 14, 1937.

June 14, 1937  
[H. R. 1792]

[Private, No. 151]

John Kelley.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 767, 770.

*Provisos.*  
No prior benefits.

Time limitation for filing claim.

[CHAPTER 342]

AN ACT

For the relief of Mr. and Mrs. Edward J. Pruett.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Edward J. Pruett the sum of \$5,000 in full settlement of all claims against the Government of the United States for the death of their son, Robert Edward Pruett, who was drowned in a swimming pool at Fort McClellan, Alabama, on September 22, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

June 14, 1937  
[H. R. 3736]

[Private, No. 152]

Mr. and Mrs. Edward J. Pruett.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.



## [CHAPTER 343]

## AN ACT

For the relief of Naomi Lee Young.

June 14, 1937  
[H. R. 4457]  
[Private, No. 153]

Naomi Lee Young.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Naomi Lee Young, a feme sole, of Houston, Texas, the sum of \$2,000 in full settlement of all claims against the United States for personal and permanent injury received by her on January 20, 1936, at Houston, Texas, by reason of a fall at night into an unlighted and unguarded ditch which was dug and left unguarded by the Works Progress Administration authorities: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful and void, any contract or claim to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

## [CHAPTER 344]

## AN ACT

For the relief of Margaret Grace and Alice Shriner.

June 14, 1937  
[H. R. 4508]  
[Private, No. 154]

Margaret Grace and  
Alice Shriner.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Margaret Grace and to Alice Shriner, both of Gardena, California, out of any money in the Treasury not otherwise appropriated, the sums of \$3,500 and \$500, respectively. Such sums shall be in full settlement of all claims against the United States on account of injuries sustained by them on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between Fifth Street Landing at San Pedro, California, and the United States ship Relief, lying in the harbor of San Pedro, at San Pedro, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

## [CHAPTER 345]

## AN ACT

For the relief of Earl W. Thomas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earl W. Thomas, of Minneapolis, Minnesota, the sum of \$1,500 in full satisfaction of his claim against the United States for damages on account of injuries received while in the performance of his duty as an inmate of the United States Industrial Reformatory at Chillicothe,<sup>1</sup> Ohio, on February 6, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 15, 1937.

June 15, 1937  
[S. 1068]  
[Private, No. 155]

Earl W. Thomas.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 346]

## AN ACT

For the relief of the estate of Elmer W. Laub, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Elmer W. Laub, deceased, former postmaster at Belfast, Pennsylvania, with \$96.75, being the total amount retained from postal receipts by G. A. Laub and Roy S. Kostenbader as compensation for their voluntary services in acting as postmaster at that post office from January 29, 1935, to March 31, 1935, and from April 1, 1935, to April 15, 1935, respectively.

Approved, June 15, 1937.

June 15, 1937  
[S. 1936]  
[Private, No. 156]

Elmer W. Laub (deceased).  
Credit in postal accounts.

## [CHAPTER 347]

## AN ACT

For the relief of Irvin Pendleton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of Irvin Pendleton, of Campbellsburg, Kentucky, who is alleged to have sustained an injury while employed in the Government air-nitrate plant at Muscle Shoals, Alabama, in 1918, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months from the date of the enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 15, 1937.

June 15, 1937  
[H. R. 1013]  
[Private, No. 157]

Irvin Pendleton.  
Provisions of Employees' Compensation Act extended to.

39 Stat. 746.  
5 U. S. C. §§ 765-770.

Time limitation.

*Proviso.*  
No prior benefits.

<sup>1</sup> So in original.

## [CHAPTER 354]

## AN ACT

June 15, 1937

[S. 430]

[Private, No. 158]

Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller.

Elmer E. Miller.  
Claim of, submitted  
to Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller, former disbursing clerk in the Bureau of Pensions, against the United States for the recovery of any unpaid part of his salary as such clerk, as fixed by law, for the fiscal years ending June 30, 1922, June 30, 1923, and June 30, 1924, respectively.

Commencement of  
suit.

Proceeding and ap-  
peals.

SEC. 2. Such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceeding for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

28 U. S. C. § 250.

Approved, June 15, 1937.

## [CHAPTER 355]

## AN ACT

June 15, 1937

[H. R. 545]

[Private, No. 159]

For the relief of Dean Scott.

Dean Scott.  
Provisions of Em-  
ployees' Compensa-  
tion Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Dean Scott, of Winchester, Massachusetts, and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim, under the remaining provisions of said Act, for injury to his right elbow, right side, and his head, alleged to have been sustained while a civilian employee of the United States Army transport Tacony on or about December 19, 1919: *Provided*, That claim hereunder shall be made within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

*Proviso.*  
Time limitation.  
No prior benefits.

Approved, June 15, 1937.

## [CHAPTER 356]

## AN ACT

June 15, 1937

[H. R. 1084]

[Private, No. 160]

For the relief of Samuel Cripps.

Samuel Cripps.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Samuel Cripps, of Pomona, Jackson County, Illinois, the sum of \$500 in full satisfaction of his claim against the United States on account of the disfigurement of his face due to having been struck by a Civilian Conservation Corps truck from Camp Pomona on July 28, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 15, 1937.

[CHAPTER 357]

AN ACT

For the relief of Joshua L. Bach.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joshua L. Bach, of Alameda, California, civilian employee (telephone plant engineer), United States Army, the sum of \$154.25, out of any money in the Treasury not otherwise appropriated, in full satisfaction of his claim against the United States for damage done to household goods during transportation from station at Baltimore, Maryland, to new station at San Francisco, California, in August and September 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 15, 1937  
[H. R. 2042]

[Private, No. 161]

Joshua L. Bach.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1937.

[CHAPTER 358]

AN ACT

For the relief of <sup>1</sup> Clifford Y. Long.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford Y. Long, of Menomonie, Wisconsin, the sum of \$180. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, prior to their registration as purebreds, of six head of diseased cattle owned by the said Clifford Y. Long. Such sum represents the difference between the amount which the said Clifford Y. Long would have received from the Department of Agriculture had such cattle been registered as purebred animals prior to their appraisal and the amount which he has been paid by such Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any

June 15, 1937  
[H. R. 3738]

[Private, No. 162]

Clifford Y. Long.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

<sup>1</sup> So in original.

Penalty for violation.

person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 15, 1937.

[CHAPTER 360]

AN ACT

For the relief of Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne.

June 16, 1937  
[S. 470]  
[Private, No. 163]  
Joseph M. Cacace  
and others.  
Preamble.

Whereas in the District Court of the United States for the Eastern District of Virginia, on the 20th day of November 1934, John T. Cacace was convicted of an offense and was thereupon admitted to bail in the penalty of \$10,000 pending his motion for a new trial, and executed a recognizance for said sum with Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne, his brothers and sister, as sureties; and

Whereas on the 23d of November 1934, said John T. Cacace without the knowledge, consent, or connivance of said sureties, willfully defaulted by leaving the jurisdiction and failed to appear on November 26, the time appointed for the hearing of his motion for a new trial, whereupon he was declared in default and on motion of the United States, by its attorney, a scire facias issued on said date returnable on November 30, on which last-named date the court declined to give the sureties on said bond additional time for the purpose of attempting to produce said convict but forfeited said bond and entered judgment against the stipulators for the sum of \$10,000 and costs; and

Whereas, on December 6, 1934, the said John T. Cacace voluntarily surrendered himself to the marshal of the district and was thereafter sentenced and is now serving his term in a penitentiary designated by the court; and

Whereas the sureties on said recognizance filed their petition in said court, on December 8, 1934, praying that said judgment might be set aside and the forfeiture remitted, which prayer has been refused by the court upon the ground that under the statute in such case made and provided it had no discretion where the default was willful; and

Whereas by the voluntary appearance and the sentencing of said convict the ends of justice have been accomplished without additional expense to the Government so that nothing further is to be gained by the enforcement of said judgment, which enforcement will cause said stipulators to lose their homes by foreclosure under execution: Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the clerk of the United States District Court for the Eastern District of Virginia at Norfolk is hereby authorized and directed to satisfy, of record, the judgment obtained by the United States on November 30, 1934, against Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne, who are hereby relieved of all liability to the United States for the payment of said judgment, which was entered against them as sureties on the criminal bail bond executed in behalf of John T. Cacace, the latter having failed to appear after he had willfully departed from the jurisdiction without the knowledge, consent, or connivance of said sureties. Said John T. Cacace subsequently voluntarily appeared on December 6, 1934, without cost to the Government, and was sentenced to imprisonment for conspiracy to violate the National Motor Vehicle Theft Act in accordance with his previous conviction on November 24, 1934.

Approved, June 16, 1937.

Release from liability for payment of court judgment.

## [CHAPTER 363]

## AN ACT

For the relief of Edith Lewis White.

June 17, 1937  
[S. 609]  
[Private, No. 164]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Lewis White, of San Francisco, California, the sum of \$1,012.50, being the amount of six months' gratuity pay due her on account of the death of her son, Edwin Dean White, Junior, late a second lieutenant, Air Corps Reserve, United States Army: *Provided*, That Edith Lewis White's dependency upon her son Edwin Dean White shall be established to the satisfaction of the Secretary of War: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Edith Lewis White.  
Payment to.

*Provisos.*  
Dependency to be  
established.

Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, June 17, 1937.

## [CHAPTER 365]

## AN ACT

Awarding a Navy Cross to John W. Thomason and Robert Slover.

June 18, 1937  
[S. 1112]  
[Private, No. 165]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That John W. Thomason, Major, United States Marine Corps, and Robert Slover, gunnery sergeant, United States Marine Corps, be awarded, and each is hereby authorized to receive, a Navy Cross, to be prepared under the direction of the Secretary of the Navy, for extraordinary heroism in the battle of Soissons on July 18, 1918, in destroying a machine-gun nest and capturing two machine guns.

Approved, June 18, 1937.

John W. Thomason  
and Robert Slover.  
Navy Cross award-  
ed to.

## [CHAPTER 366]

## JOINT RESOLUTION

Granting permission to George E. Ijams, civilian employee of the Veterans' Administration, to accept and wear the decoration bestowed upon him by the Republic of France.

June 18, 1937  
[H. J. Res. 330]  
[Priv. Res., No. 2]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That George E. Ijams, civilian employee of the Veterans' Administration, be authorized to accept and wear the decoration of the Order of the French Legion of Honor (Chevalier), bestowed by the Republic of France, and the State Department is hereby authorized and permitted to deliver the above-mentioned decoration to the said George E. Ijams.

George E. Ijams.  
Acceptance of deco-  
ration from France  
authorized.

Delivery by De-  
partment of State.

Approved, June 18, 1937.

## [CHAPTER 370]

## AN ACT

For the relief of the estate of Everett P. Sheridan.

June 19, 1937

[S. 665]

[Private, No. 166]

Everett P. Sheridan (deceased).  
Credit in postal accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the final settlement of the accounts of Everett P. Sheridan, deceased, former postmaster at Warren, Massachusetts, credit is hereby authorized in the sum of \$37.74, being the difference between the amount of war-savings funds on deposit to his official credit in the First National Bank of Warren, Massachusetts, when said bank closed in 1923 and the aggregate amount thereafter received by the Government as dividends in the liquidation of the bank's affairs.

Approved, June 19, 1937.

## [CHAPTER 371]

## AN ACT

For the relief of Eleanora S. Richardson.

June 19, 1937

[H. R. 2080]

[Private, No. 167]

Eleanora S. Richardson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eleanora S. Richardson, of Sumter, South Carolina, the sum of \$67.50 in full settlement of all claims against the Government of the United States for loss sustained by the said Eleanora S. Richardson in the cashing of War Department allotment check numbered 804988 in favor of J. B. Brown as allottee of Richard Brown, an enrollee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 19, 1937.

## [CHAPTER 372]

## AN ACT

For the relief of Mr. and Mrs. Walter B. Johnson and Joy Johnson, a minor.

June 19, 1937

[H. R. 2223]

[Private, No. 168]

Mr. and Mrs. Walter B. Johnson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$2,000, jointly to Walter B. Johnson and Mrs. Walter B. Johnson, of Knoxville, Tennessee, in full settlement of all claims against the United States for personal injuries to themselves and their minor daughter, Joy Johnson, and medical and hospital expenses incident thereto as a result of a collision of an automobile in which they were riding with a Government Civilian Conservation Corps truck, which truck was being recklessly operated, causing said collision on March 15, 1935, on Highway Numbered 35, near Sevierville, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services

rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 19, 1937.

[CHAPTER 373]

AN ACT

For the relief of William Hayes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$700 to William Hayes in full settlement of all claims against the United States for personal injuries sustained by being struck by an automobile driven by Customs Patrol Inspector Herbert R. Bowen on August 31, 1928, in the city of Niagara Falls, New York: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to transfer to the miscellaneous receipts fund of the Treasury the sum of \$75 appropriated in the First Deficiency Act of March 26, 1930 (46 Stat. 124), for the benefit of William Hayes, as set forth in the schedule of claims contained in House Document Numbered 243, Seventy-first Congress: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 22, 1937.

[CHAPTER 374]

AN ACT

For the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money:

To William H. Hunt, formerly American consul at Pointe à Pitre, Guadeloupe, French West Indies, the sum of \$1,080.50, such sum representing the value of reasonable and necessary personal property lost as a result of the cyclone at Pointe à Pitre, September 12, 1928.

To the estate of the late J. Frank Points, formerly American vice consul and clerk at Nassau, Bahama Islands, the sum of \$312, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, September 16, 1928.

Penalty for violation.

June 22, 1937  
[H. R. 1277]

[Private, No. 169]

William Hayes.  
Payment to.

*Provides.*  
Former appropriation covered in.

46 Stat. 124.

Limitation on attorney's, etc., fees.

Penalty for violation.

June 22, 1937  
[H. R. 2924]

[Private, No. 170]

Foreign Service.  
Appropriation authorized for relief of designated officers, etc.

*Ante*, p. 769.  
William H. Hunt.

J. Frank Points,  
estate.



Charles C. Broy.

To Charles C. Broy, formerly American consul at Nassau, Bahama Islands, the sum of \$294, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, September 25 and 26, 1929.

Mary Jane Porter.

To Mary Jane Porter, formerly American consular clerk at Nassau, Bahama Islands, the sums of \$210.50 and \$657.41, respectively, making a total of \$867.91, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricanes at Nassau, Bahama Islands, September 16, 1928, and September 25 and 26, 1929.

Grace W. Williamson.

To Grace W. Williamson, American consular clerk at Nassau, Bahama Islands, the sum of \$264.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, on September 25 and 26, 1929.

Charles B. Curtis.

To Charles B. Curtis, formerly American Minister at Santo Domingo, Dominican Republic, the sum of \$1,835.11, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

John M. Cabot.

To John M. Cabot, formerly secretary of American Legation at Santo Domingo, Dominican Republic, the sum of \$663.88, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Bernard Ramirez.

To Bernard Ramirez, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of \$193.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Victor E. Medina.

To Victor E. Medina, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of \$158, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Reed Paige Clark.

To Reed Paige Clark, formerly American consul at Santo Domingo, Dominican Republic, the sum of \$1,720, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Albion W. Johnson.

To Albion W. Johnson, American vice consul at Santo Domingo, Dominican Republic, the sum of \$221.25, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Pedro A. Marrero.

To Pedro A. Marrero, formerly American consular clerk at Santo Domingo, Dominican Republic, the sum of \$340.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Mrs. Aurora Albert Dopico.

To Mrs. Aurora Albert Dopico, née Aurora Menendez, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$226, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Angel Rafael Marrero.

To Angel Rafael Marrero, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$55, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Emilio Jimenez-Gil.

To Emilio Jimenez-Gil, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$93, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

Ishmael J. Gauntés.

To Ishmael J. Gauntés, American consular messenger at Santo Domingo, Dominican Republic, the sum of \$100, such sum representing a donation in order to enable him to obtain a partial reimburse-

ment of the reasonable value of necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To the estate of the late Robert M. Ott, formerly American vice consul at Belize, British Honduras, the sum of \$115.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

Robert M. Ott, estate.

To Culver Gidden, American consular clerk at Belize, British Honduras, the sum of \$101.75, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

Culver Gidden.

To Lilian A. Hood, American consular clerk at Belize, British Honduras, the sum of \$200, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

Lilian A. Hood.

To C. E. Griffith, American consular clerk at Belize, British Honduras, the sum of \$60.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

C. E. Griffith.

To A. C. Odendahl, formerly American consular clerk at Belize, British Honduras, the sum of \$162, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

A. C. Odendahl.

To Henry Gardiner, American consular messenger at Belize, British Honduras, the sum of \$60.05, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

Henry Gardiner.

To John A. Lehrs, formerly American vice consul at Moscow, Russia, the sum of \$4,016, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

John A. Lehrs.

To Henry L. Palmer, formerly American vice consul at Ekaterinburg, Russia, the sum of \$3,352.85, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

Henry L. Palmer.

To Ernest L. Harris, formerly American consul general at Irkutsk, Siberia, the sum of \$1,899, such sum, in addition to the sum heretofore appropriated, representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia in 1918 and 1919.

Ernest L. Harris.

To Edwin S. Cunningham, American consul general at Shanghai, China, the sum of \$115, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

Edwin S. Cunningham.

To Carl O. Spamer, formerly American consul at Shanghai, China, the sum of \$33, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

Carl O. Spamer.

To Vivian E. Hooper, formerly American consular clerk at Shanghai, China, the sum of \$17.50, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

Vivian E. Hooper.

To Oscar S. Heizer, formerly American consul general and interpreter at Constantinople, Turkey, the sum of \$456, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Turkey between the years 1915 and 1918.

Oscar S. Heizer.

To Harry D. Myers, formerly American vice consul at Buenaventura, Colombia, the sum of \$182.50, such sum representing the

Harry D. Myers.

value of reasonable and necessary personal property lost as a result of a fire which destroyed the American consulate at Buenaventura, on January 26, 1931.

Harry A. McBride.

To Harry A. McBride, formerly American consul at Warsaw, Poland, the sum of \$377.25, such sum representing the value of reasonable and necessary personal property lost as a result of breakage and theft in transit from Warsaw to the United States.

Paul Dean Thompson.

To Paul Dean Thompson, formerly American vice consul at Saint Michael, Azores, the sum of \$55.50, such sum representing the value of reasonable and necessary personal property lost as a result of theft in transit about November 2, 1931, incident to his transfer under orders from Plymouth, England, to Saint Michael, Azores.

T. Brooks Alford.

To T. Brooks Alford, formerly vice consul at Moscow and other posts in Russia, the sum of \$276.01, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia between the years 1916 and 1918.

Thomas M. Powell.

To Thomas M. Powell, American vice consul at Nogales, Sonora, Mexico, the sum of \$268, such sum representing the value of reasonable and necessary personal property lost as a result of a fire which destroyed the American Consulate at Nogales, on October 10, 1935.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum of any claim thereof as allowed shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with any such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold or receive any sum of the amount appropriated for any claim in this Act in excess of 10 per centum of such claim as allowed on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000. The aforesaid amounts shall be considered in full settlement of the aforesaid claims.

Penalty for violation.

Payments in full settlement.

Deduction of reimbursement by foreign government.

*Proviso.*  
Future payment on aforesaid losses.

SEC. 2. That if the Secretary of State shall find that any payment on account of any individual loss herein set forth has been made to or on behalf of any of the claimants herein named by any foreign government, the amount of such payment shall be deducted from the amount herein authorized to be paid to such claimant: *Provided*, That any payment which hereafter may be made on account of any of the aforesaid losses, to or on behalf of any of the aforesaid claimants by any foreign government through the Department of State, in an amount not to exceed the amount actually paid to any of the aforesaid claimants shall be paid into the Treasury of the United States.

Approved, June 22, 1937.

#### [CHAPTER 375]

#### AN ACT

For the relief of Rosalie Rose.

June 22, 1937  
[H. R. 3203]  
[Private, No. 171]

Rosalie Rose.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rosalie Rose, of San Francisco, California, the sum of \$1,454.50 in

full settlement of her claim against the United States for damages sustained on May 29, 1931, when she was injured in a collision with United States Coast Guard truck numbered 1001: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 22, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

[CHAPTER 378]

AN ACT

For the relief of the Coast Fir and Cedar Products Company, Incorporated.

June 24, 1937  
[H. R. 3557]  
[Private, No. 172]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Coast Fir and Cedar Products Company, Incorporated, of Portland, Oregon, the sum of \$2,480.34, in full satisfaction of all claims of such company against the United States arising out of a certain contract of sale (numbered 12r-1318) entered into by such company with the Bureau of Reclamation, Department of the Interior, under date of April 18, 1928, for the delivery of certain railroad crossties for use in connection with the Owyhee irrigation project in Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Coast Fir and Cedar Products Company, Inc.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

Approved, June 24, 1937.

[CHAPTER 379]

AN ACT

For the relief of A. R. Netterville, Senior.

June 24, 1937  
[H. R. 4575]  
[Private, No. 173]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to A. R. Netterville, Senior, of McComb, Mississippi, out of any money in the Treasury not otherwise appropriated, the sum of \$130 in full satisfaction of his claim against the United States for work done and money paid out for labor in the part construction of a home at the McComb, Mississippi, homesteads project in 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in

A. R. Netterville, Sr.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1937.

[CHAPTER 380]

AN ACT

June 24, 1937

[H. R. 5880]

[Private, No. 174]

To amend Private Act Numbered 210, approved August 13, 1935, by substituting as payee therein the Clark Dredging Company in lieu of the Bowers Southern Dredging Company.

Clark Dredging Company.  
Designated payee in Act for relief of Bowers Southern Dredging Company.  
49 Stat. 2133.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Private Act Numbered 210, approved August 13, 1935, for the relief of the Bowers Southern Dredging Company, be, and the same is hereby, amended by substituting as payee therein the Clark Dredging Company as transferee or assignee of said Bowers Southern Dredging Company.

Approved, June 24, 1937.

[CHAPTER 388]

AN ACT

June 28, 1937

[S. 713]

[Private, No. 175]

To provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926.

Lake Denmark, N. J.  
Payment of claim of J. Harvey Blanchard for damages, explosion at naval ammunition depot.

44 Stat. 1800; 45 Stat. 2047.  
*Provided,* Limitation on attorney's, etc., fees.

Penalty for violation.

Payment to be in full settlement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of \$59.53 is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Comptroller General of the United States to make payment of the claim of J. Harvey Blanchard for property damage due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926, as recommended by the Acting Comptroller General of the United States and as fully set forth in his letter of January 7, 1937, to the Congress pursuant to the Act of March 2, 1927 (44 Stat. (pt. 3) 1800), and the Act of February 2, 1929 (45 Stat. (pt. 2) 2047): *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided,* That any payment made hereunder shall be accepted in full settlement of this claim against the United States.

Approved, June 28, 1937.

[CHAPTER 389]

AN ACT

June 28, 1937

[H. R. 2935]

[Private, No. 176]

For the relief of Montrose Grimstead.

Montrose Grimstead.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Montrose Grimstead the sum of \$2,500 in full settlement of all claims

against the United States for injuries sustained when he was struck by a Marine Corps ambulance near Owings Mills, Baltimore County, Maryland, in April 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 28, 1937.

#### [CHAPTER 394]

##### AN ACT

For the relief of Dorothy White, Mrs. Carol M. White, and Charles A. White.

June 28, 1937  
[H. R. 2108]  
[Private, No. 177]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Carol M. White, of Superior, Arizona, the sum of \$1,000; to Dorothy White, of Superior, Arizona, the sum of \$3,000; and to Charles A. White, of Superior, Arizona, the sum of \$500, in full satisfaction of their claims against the United States for damages arising out of personal injuries, suffered when their automobile was struck by an automobile driven by an employee of the Department of Commerce, in Pinal County, Arizona, on January 20, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding <sup>1</sup> \$1,000.

Mrs. Carol M.,  
Dorothy, and Charles  
A. White.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 28, 1937.

#### [CHAPTER 397]

##### AN ACT

For the relief of Goldie Durham.

June 28, 1937  
[H. R. 937]  
[Private, No. 178]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement against the Government, the sum of \$50 to Goldie Durham, of Tyler, Texas, on account of injury sustained in an automobile accident caused by a truck driver employed with the Civilian Conservation Corps on Highway Numbered 69 near Lindale, Texas, August 2, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Goldie Durham.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 28, 1937.

<sup>1</sup> So in original.

## [CHAPTER 398]

## AN ACT

For the relief of Claude Curteman.

June 28, 1937  
[H. R. 2801]

[Private, No. 179]

Claude Curteman.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Claude Curteman, of the city of Ontario, California, the sum of \$2,376 in full settlement of all claims against the Government of the United States for all injuries sustained by him on April 1, 1934, when an automobile in which he was riding was in collision with a United States Government truck being carelessly and negligently operated by a member of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

## [CHAPTER 399]

## AN ACT

For the relief of F. M. Loeffler.

June 28, 1937  
[H. R. 3451]

[Private, No. 180]

F. M. Loeffler.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to F. M. Loeffler, West Mineral, Kansas, the sum of \$3,838.75, which sum shall be in full satisfaction of all claims against the United States for personal injuries sustained by the said F. M. Loeffler as a result of an accident involving a Civilian Conservation Corps truck, at Camp Messenger, Company Numbered 1711, West Mineral, Kansas, on March 15, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

## [CHAPTER 400]

## AN ACT

For the relief of the estate of Rees Morgan.

June 28, 1937  
[H. R. 3812]

[Private, No. 181]

Rees Morgan.  
Payment to estate of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$5,000 to the administrator of the estate of Rees Morgan, late of Tacoma, Washington, in full satisfaction of its claim against

the United States on account of the death of the said Rees Morgan who was struck and killed near Tacoma, Washington, by a Civilian Conservation Corps truck operated by one Fred Krause, enrollee of Company 2941, Civilian Conservation Corps Camp A3, Fort Lewis, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

[CHAPTER 408]

AN ACT

For the relief of Elbert Arnold Jarrell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Elbert Arnold Jarrell the sum of \$5,000 in full settlement of all claims against the United States for damages suffered by reason of being struck and seriously injured by a Government truck which was driven by an enrollee of the Civilian Conservation Corps, on March 16, 1934, near Friendship, Ohio, which has resulted in his being unable to provide for himself his wife, and his six children: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

June 29, 1937  
[H. R. 703]

[Private, No. 182]

Elbert Arnold Jarrell.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 409]

AN ACT

For the relief of Otis Cordle, a minor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Otis Cordle, a minor, of Memphis, Tennessee, the sum of \$4,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by said Otis Cordle, when struck, on October 18, 1935, in Memphis, Tennessee, by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

June 29, 1937  
[H. R. 988]

[Private, No. 183]

Otis Cordle.  
Payment to guardian of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.



## [CHAPTER 410]

## AN ACT

For the relief of Mrs. Louis Abner.

June 29, 1937  
[H. R. 1065]  
[Private, No. 184]

Mrs. Louis Abner.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the United States Government, the sum of \$500 to Mrs. Louis Abner, of Loogootee, Indiana, for injuries sustained by being struck by a United States Government truck driven or operated by a member of the Civilian Conservation Corps on September 29, 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

## [CHAPTER 411]

## AN ACT

For the relief of Sarah L. Smith.

June 29, 1937  
[H. R. 1275]  
[Private, No. 185]

Sarah L. Smith.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Sarah L. Smith in full settlement of all claims against the United States for personal injuries sustained in a fall in the United States post office at Niagara Falls, New York, on July 18, 1933: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

## [CHAPTER 412]

## AN ACT

For the relief of John Knaack.

June 29, 1937  
[H. R. 2090]  
[Private, No. 186]

John Knaack.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Knaack, of Chicago Heights, Illinois, the sum of \$2,500, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and

in full settlement of all claims against the Government of the United States, and reimbursement for medical service, to said John Knaack, who was injured January 9, 1935, when he was run into by a truck working out of Camp DSP-12, Thornton, of the Department of the Interior, National Park Service, State Park Division, Civilian Conservation Corps, on the Glenwood Road, Chicago Heights, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 413]

AN ACT

For the relief of Leah Levine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$500 to Leah Levine, widow of the late Rabbi Isaac Levine, in full settlement of all claims against the United States for personal injuries sustained by the said Rabbi Levine, deceased, together with medical and hospital expenses incident thereto, as a result of being struck by a truck being recklessly driven by an employee of the United States Government, said injury occurring in Knoxville, Tennessee, on December 18, 1933. This appropriation is made in lieu of Private Act Numbered 192, Seventy-fourth Congress, approved August 7, 1935, for the relief of Rabbi Isaac Levine, who died while said legislation was pending in the Congress: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 29, 1937

[H. R. 2226]

[Private, No. 187]

Leah Levine.  
Payment to, in settlement of claim of Rabbi Isaac Levine, deceased.

49 Stat. 2125.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 414]

AN ACT

For the relief of R. N. Teague and Minnie Teague.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the

June 29, 1937

[H. R. 2630]

[Private, No. 188]

R. N. and Minnie Teague.  
Payment to.

maintenance and operation of the Civilian Conservation Corps, to R. N. Teague, Lambert, Mississippi, the sum of \$1,000, and to Minnie Teague, Lambert, Mississippi, the sum of \$750. The payment of such sums shall be in full settlement of all claims against the United States for damages and injuries sustained by them when the vehicle in which they were riding was struck, on Arkansas State Highway 167, near Sheridan, Arkansas, November 1, 1934, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 415]

AN ACT

For the relief of Reverend Harry J. Hill.

June 29, 1937  
[H. R. 2781]  
[Private, No. 189]

Rev. Harry J. Hill.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Reverend Harry J. Hill, of Burbank, California, the sum of \$250 in full settlement against the Government for damages sustained in a collision between his automobile and a Government-owned truck driven by a Civilian Conservation Corps employee on June 8, 1934, in Yosemite National Park, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 416]

AN ACT

For the relief of the estate of John E. Callaway.

June 29, 1937  
[H. R. 3056]  
[Private, No. 190]

John E. Callaway.  
Payment to estate of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of John E. Callaway, of Lebanon, Kansas, the sum of \$190, in full settlement of its claim against the United States for the destruction of certain property as a result of fire caused by a Government truck operated in connection with the Civilian Conservation Corps, on July 7, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in con-

*Proviso.*  
Limitation on attorney's, etc., fees.

nection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 417]

AN ACT

For the relief of Albert Retellatto, a minor.

June 29, 1937

[H. R. 3575]

[Private, No. 191]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Albert Retellatto, a minor, the sum of \$3,000, in full and final settlement of any and all claims for damages resulting from injuries received by said Albert Retellatto, when he was struck by a United States mail truck numbered 3392 on Bay Twentieth Street, near Benson Avenue in Brooklyn, New York, on November 4, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Albert Retellatto.  
Payment to guardian of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 418]

AN ACT

For the relief of Martin J. Blazeovich.

June 29, 1937

[H. R. 3583]

[Private, No. 192]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Martin J. Blazeovich, of San Francisco, California, the sum of \$1,000 in full satisfaction of his claim against the United States for permanent disability suffered when his left hand caught in an unguarded circular saw while performing his duties as a prisoner at the United States (Army) disciplinary barracks, Alcatraz, California, on November 2, 1916, to which he had been sentenced by general court martial while serving as a private, Company A, Thirteenth Infantry: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Martin J. Blazeovich.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1937.

## [CHAPTER 419]

## AN ACT

For the relief of Lucy Jane Ayer.

June 29, 1937  
[H. R. 4023]  
[Private, No. 193]

Lucy Jane Ayer.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lucy Jane Ayer, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries caused as a result of an accident involving an Army vehicle near Dodsonville, Ohio, on September 24, 1933: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

## [CHAPTER 420]

## AN ACT

For the relief of Sarah E. Palmer.

June 29, 1937  
[H. R. 5146]  
[Private, No. 194]

Sarah E. Palmer.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sarah E. Palmer, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 in full settlement of all claims against the Government for injuries suffered as the result of her car having been struck by an Army truck in Baltimore on October 10, 1932, and for expenses and losses resulting therefrom: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

## [CHAPTER 421]

## AN ACT

Conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claim of Charles W. Benton.

June 29, 1937  
[H. R. 5214]  
[Private, No. 195]

Charles W. Benton.  
Claim of, submitted  
to District Court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment, as

if the United States were suable in tort, upon the claim of Charles W. Benton, of Beebe, Arkansas, for alleged damages resulting from personal injuries sustained by him on December 14, 1936, on account of the alleged explosion of dynamite caps or other explosives stored or left on his farm near Beebe, White County, Arkansas, by employees of the Beebe-Floyd-Romance, Arkansas, Road Project, an undertaking of the Works Progress Administration of the United States.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended: *Provided*, That the judgment, if any, shall not exceed the sum of \$2,500.

Approved, June 29, 1937.

Commencement of suit.

Proceedings.

28 U. S. C. § 41 (20).

*Proviso.*  
Limitation on judgment.

[CHAPTER 422]

AN ACT

For the relief of Harold Scott and Ellis Marks.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Harold Scott, Bay City, Michigan, the sum of \$2,000, and to Ellis Marks, Bay City, Michigan, the sum of \$3,000, in full settlement of all claims against the United States for personal injuries and resulting damages sustained by them when the truck in which they were riding was struck from the rear by an Emergency Conservation Work truck being driven at an excessive rate of speed by an enrollee of the Civilian Conservation Corps, on October 30, 1935, near Frederic, Crawford County, Michigan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

June 29, 1937

[H. R. 5456]

[Private, No. 196]

Harold Scott and  
Ellis Marks.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 437]

AN ACT

For the relief of Angelo and Auro Cattaneo.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of the Act approved October 16, 1918 (40 Stat. 1012), as amended by the Act approved June 5, 1920 (41 Stat. 1008; U. S. C., title 8, sec. 137), the Secretary of Labor is hereby authorized and directed to cancel the order and warrant of deportation heretofore issued under the provisions of that Act against Angelo and Auro Cattaneo.

Approved, July 5, 1937.

July 5, 1937

[H. R. 1731]

[Private, No. 197]

Angelo and Auro  
Cattaneo.  
Deportation order,  
etc., canceled.  
40 Stat. 1012; 41  
Stat. 1008.  
8 U. S. C. § 137.

## [CHAPTER 439]

## AN ACT

For the relief of James Philip Coyle.

July 6, 1937

[H. R. 2404]

[Private, No. 198]

James Philip Coyle.  
Naval record corrected.*Proviso.*

No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors James Philip Coyle, who enlisted in the United States Navy on June 16, 1898, as a fireman, second-class, serving on the United States ship Franklin (service number 122-95-88), shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on September 21, 1922: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, July 6, 1937.

## [CHAPTER 440]

## AN ACT

For the relief of the Jackson Casket and Manufacturing Company.

July 6, 1937

[H. R. 5258]

[Private, No. 199]

Jackson Casket and  
Manufacturing Com-  
pany.  
Determination of  
capital-stock tax of.49 Stat. 1017.  
26 U. S. C., Supp.  
II, § 1358a.Sworn statement to  
be filed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) notwithstanding the declaration of adjusted declared value in its capital-stock-tax return for the year ending June 30, 1936, the original declared value of the Jackson Casket and Manufacturing Company, of Jackson, Mississippi, in determining its capital-stock tax under section 105 of the Revenue Act of 1935, as amended, for the year ending June 30, 1937, and subsequent years, shall be a value computed on the basis of \$125 per share of its capital stock.

(b) The provisions of subsection (a) shall apply only if the taxpayer within thirty days after the date of the enactment of this Act files with the collector of internal revenue for its district a statement under oath, recomputing its original declared value in accordance with the provisions of this Act.

Approved, July 6, 1937.

## [CHAPTER 446]

## AN ACT

For the relief of E. W. Garrison.

July 8, 1937

[H. R. 563]

[Private, No. 200]

E. W. Garrison.  
Payment to.*Proviso.*  
Limitation on attor-  
ney's, etc., fees.Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$157.17 to E. W. Garrison, of Marietta, Georgia, in full settlement of all claims against the United States because of damage to his automobile in a collision with a Government automobile operated in connection with the Civilian Conservation Corps near Coopers Creek, Blue Ridge, Georgia, on August 6, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 447]

## AN ACT

For the relief of Clifford R. George and Mabel <sup>1</sup> D. George.

July 8, 1937  
[H. R. 1310]  
[Private, No. 201]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Clifford R. George and Mabel <sup>1</sup> D. George, of Chunchula, Alabama, the sums of \$50 and \$1,000, respectively, in full settlement of all claims against the United States Government for personal injuries and property damage sustained by them on July 11, 1936, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps on United States Highway Numbered 45, near the crossroad at Gulfcrest, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Clifford R. and  
Mabel D. George.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 8, 1937.

## [CHAPTER 448]

## AN ACT

For the relief of Paul J. Francis.

July 8, 1937  
[H. R. 1761]  
[Private, No. 202]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Paul J. Francis, of Graymoor, Garrison, New York, in full satisfaction of his claim against the United States for a refund of the value of a Liberty bond deposited to secure the deportation of an alien, Beniamino Ottorino, and forfeited October 3, 1925, for noncompliance with said condition as the alien had departed and failed to notify either the Government or the surety thereof: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Paul J. Francis.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 8, 1937.

<sup>1</sup> So in original.



## [CHAPTER 449]

## AN ACT

For the relief of Lonnie O. Ledford.

July 8, 1937

[H. R. 2482]

[Private, No. 203]

Lonnie O. Ledford.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lonnie O. Ledford, of Dalton, Georgia, the sum of \$750 in full settlement of all claims against the United States for personal injuries sustained in the collision between automobile in which he was riding and a truck of the Civilian Conservation Corps, near Ranger, North Carolina, on the 18th day of January 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 450]

## AN ACT

For the relief of Timothy Joseph McCarthy.

July 8, 1937

[H. R. 3002]

[Private, No. 204]

Timothy Joseph McCarthy.  
Naval record corrected.*Proviso.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Timothy Joseph McCarthy, late of the United States Navy, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service on February 13, 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, July 8, 1937.

## [CHAPTER 451]

## AN ACT

For the relief of E. P. Lewis.

July 8, 1937

[H. R. 3075]

[Private, No. 205]

E. P. Lewis.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. P. Lewis, Anniston, Alabama, the sum of \$2,500. The payment of such sum shall be in full settlement of all claims against the Government of the United States for personal injuries sustained by the said E. P. Lewis and for property damage to his automobile, which was struck, November 16, 1935, while the said E. P. Lewis was operating the said automobile, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, July 8, 1937.

[CHAPTER 452]

AN ACT

For the relief of John H. Wykle.

July 8, 1937  
[H. R. 3262]

[Private, No. 206]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John H. Wykle, of Bryson City, North Carolina, the sum of \$750 in full satisfaction of his claim against the United States for injuries sustained while acting at the request and upon the summons of a United States prohibition officer, on December 11, 1930, in making a raid for the purpose of apprehending persons violating the laws of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

John H. Wykle.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 8, 1937.

[CHAPTER 453]

AN ACT

For the relief of H. E. Wingard.

July 8, 1937  
[H. R. 3809]

[Private, No. 207]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the clerk of the United States District Court for the Southern District of Georgia is hereby authorized and directed to satisfy, of record, the judgment obtained by the United States in April 1935 against H. E. Wingard, of Augusta, Georgia, who is hereby relieved of all liability to the United States for the payment of said judgment, which was entered against him as surety on the recognizance bond of Stoy Lamar, who failed to appear for trial on a charge of violation of the Harrison Narcotic Act, but who was subsequently apprehended through the efforts and at the expense of said H. E. Wingard in December 1935.

H. E. Wingard.  
Release of court judgment.

Approved, July 8, 1937.

[CHAPTER 454]

AN ACT

For the relief of John L. Summers, former disbursing clerk, Treasury Department; and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States.

July 8, 1937  
[H. R. 4679]

[Private, No. 208]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of John L. Summers, former disbursing clerk, Treasury Department, with sums not exceeding

John L. Summers.  
Credit in accounts.

\$5,241.47 in the aggregate, covering disallowances in his accounts as a result of payments made by him during the period from August 1923 to December 1933.

Frank White, and  
other former Treas-  
urers of the United  
States.  
Credit in accounts.

*Proviso.*  
Application of any  
recoveries.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of former Treasurers of the United States with sums not exceeding the following amounts, representing unavailable items in their accounts: Frank White, \$57,507.72; G. F. Allen, \$643; H. T. Tate, \$14,664.94; and W. O. Woods, \$107,833.29: *Provided*, That any recoveries heretofore or hereafter made in respect of any of the foregoing items may, in the discretion of the Comptroller General, be applied to offset unavailable items of a similar character hereafter arising in the accounts of the former Treasurer to whose account the recovery pertains, upon a showing that such unavailable items have occurred without fault or negligence on the part of said former Treasurer.

Approved, July 8, 1937.

[CHAPTER 455]

AN ACT

For the relief of Richard T. Edwards.

July 8, 1937  
[H. R. 5436]  
[Private, No. 209]

Richard T. Ed-  
wards.  
Payment to.

*Provisos.*  
Release of account-  
ability.  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard T. Edwards, major, Quartermaster Corps, United States Army, \$1,602.96, or so much of such sum as shall have been collected from him prior to the passage of this Act, in full satisfaction of his claim against the United States for a stoppage in his pay on account of shortage of public property at the Army Medical Center, Washington, District of Columbia, during the period April 1927 to April 1928, while Major Edwards was acting as quartermaster property officer: *Provided*, That no part of this shortage shall be later charged to Major Richard T. Edwards, United States Army: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 456]

AN ACT

For the relief of Frank A. Smith.

July 8, 1937  
[H. R. 5652]  
[Private, No. 210]

Frank A. Smith.  
Provisions of Em-  
ployees' Compensa-  
tion Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Frank A. Smith, of San Diego, California, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim, if filed

within six months from the date of approval of this Act, for rupture alleged to have been sustained on or about November 15, 1922, while employed as a construction foreman in the Army Air Service at large, Rockwell Field, Coronado, California: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, July 8, 1937.

*Proviso.*  
No prior benefits.

[CHAPTER 457]

AN ACT

For the relief of certain former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration).

July 8, 1937  
[H. R. 6230]  
[Private, No. 211]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed in the settlement of accounts of the following-named former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration), to allow credit in the sums herein stated now standing as disallowances in said accounts on the books of the General Accounting Office: *Provided*, That this Act shall not be interpreted to waive collections by the United States Government of loans on adjusted-service certificates and interest thereon:

Veterans' Administration, etc.  
Credits allowed in accounts of certain former disbursing officers.

*Proviso.*  
Collections of loans on adjusted-service certificates, etc., not waived.

First. Miles E. Bailey, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, District of Columbia, in the sums of \$61.75 and \$2,733.50, which amounts he expended during the period from December 1917 to January 1919 (symbols 11003 and 11234).

Miles E. Bailey.

Second. Chester C. Vargas, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, District of Columbia, in the sums of \$63.05 and \$330.70, which amounts he expended during the period from February 1919 to August 1919 (symbols 11005 and 11555).

Chester C. Vargas.

Third. Richard W. Lamb, former distributing officer, United States Veterans' Bureau (now Veterans' Administration), Atlanta, Georgia, in the sum of \$16.32 which amount he expended during the period from February 1923 to January 1925 (symbol 11255).

Richard W. Lamb.

Fourth. J. B. Schommer, former disbursing officer, Veterans' Administration, Washington, District of Columbia, in the sums of \$57.64, \$58.45, \$3,472.69, and \$250.48, which amounts he expended during the periods from May 1, 1931, to August 31, 1931; July 1, 1932, to October 31, 1933; January 1, 1932, to October 31, 1933; and July 1, 1933, to April 30, 1934 (symbols 99220, 11500, 11501, and 11666).

J. B. Schommer.

Fifth. C. A. Wood, former disbursing officer at Veterans' Administration Regional Office, Atlanta, Georgia, in the sum of \$88.50 (symbol 99102), which amount he expended during the period from September 1, 1932, to September 30, 1932.

C. A. Wood.

Sixth. W. A. Birmingham, former disbursing officer at Veterans' Administration Regional Office, Buffalo, New York, in the sum of \$303.43 (symbol 99107), which amount he expended during the period from April 1, 1931, to April 30, 1931.

W. A. Birmingham.

Seventh. Nina B. Harrison, former disbursing officer at Veterans' Administration Facility, Los Angeles, California, in the sum of \$403 (symbol 99129), which amount she expended during the period from June 1, 1933, to June 30, 1933.

Nina B. Harrison.

William H. Holmes.  
Payment to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William H. Holmes, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), District of Columbia, the sum of \$222.10 of which amount \$172.10 was paid by him on September 22, 1932, and \$50 in November 1932 by personal checks delivered to the Department of Justice (symbol 11006).

Ursula H. Miller.  
Payment to.

SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ursula H. Miller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Pittsburgh, Pennsylvania, the sum of \$72.50 which amount was deducted from her salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by her in June 1925 (symbol 11410).

Harry M. Moeller.  
Payment to.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry M. Moeller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cleveland, Ohio, the sum of \$149.68, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in May 1925 (symbol 11398).

Henry F. Dolan.  
Payment to.

SEC. 5. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry F. Dolan, former disbursing officer, Federal Board for Vocational Education (now Veterans' Administration), Washington, District of Columbia, the sum of \$45.38, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him during the period from April 1919 to December 1920 (symbol 92065).

Peter J. Carney.  
Payment to.

SEC. 6. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter J. Carney, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Philadelphia, Pennsylvania, the sum of \$72.50, which amount he refunded to the United States because of the disallowance by the General Accounting Office of that amount expended by him in September 1923 (symbol 11253).

Robert L. Putman.  
Payment to.

SEC. 7. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert L. Putman, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cincinnati, Ohio, the sum of \$7.35, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in February 1924 (11309).

Limitation on attorney's, etc., fees.

SEC. 8. No part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, July 8, 1937.

## [CHAPTER 458]

## AN ACT

For the relief of Dorothy McCourt.

July 8, 1937

[H. R. 607]

[Private, No. 212]

Dorothy McCourt.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Dorothy McCourt, of Los Angeles, California, the sum of \$1,371. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Dorothy McCourt on account of injuries suffered by herself on May 4, 1934, on Pine Canyon Road, in the county of Los Angeles, State of California, in a collision involving the car in which she was a passenger and a Government vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 459]

## AN ACT

For the relief of John Brennan.

July 8, 1937

[H. R. 1235]

[Private, No. 213]

John Brennan.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Brennan, of Foster, Oregon, the sum of \$500 in full satisfaction of his claim against the United States for damages for personal injuries suffered on January 12, 1936, on the Quartzville-Foster Road in Linn County, Oregon, when run down by a motortruck owned by the United States Forest Service bearing license numbered DA-8089 and driven by Edwin D. Bacon, of Company 2907-CCC, Cascadia, Oregon: *Provided*, that no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 460]

## AN ACT

For the relief of Raymond E. Payne and Anna R. Payne.

July 8, 1937

[H. R. 2934]

[Private, No. 214]

Raymond E. and  
Anna R. Payne.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly, to Raymond E. Payne and Anna R. Payne, his wife, both of Baltimore, Maryland, the sum of \$500 in full settlement of all claims against L. L. Childs, a former prohibition agent for the Treasury Department of the Government of the United States and all claims against the Government of the United States on account of a judgment secured against the said L. L. Childs in the District Court of the United States for the District of Maryland, because of damages resulting to the said Raymond E. Payne and Anna R. Payne, his wife, on account of the unwarranted entry of the said L. L. Childs, and others, as agents of the Government of the United States into their home, on September 2, 1924, and the destruction of property occasioned by them, in their search for alleged intoxicants in the home of the said Raymond E. Payne and Anna R. Payne, his wife: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 461]

## AN ACT

For the relief of Mr. and Mrs. J. C. Porter.

July 8, 1937

[H. R. 2983]

[Private, No. 215]

Mr. and Mrs. J. C.  
Porter.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Mr. and Mrs. J. C. Porter, of Beaver, Oregon, the sum of \$315 in full satisfaction of their claim against the United States for damages and personal injuries suffered on January 22, 1936, at Beaver, Oregon, when the automobile in which said Mr. and Mrs. J. C. Porter were riding was struck by motor truck USDI 6276 owned by the United States and driven by an employee of Camp SP-9, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 462]

## AN ACT

For the relief of Laura E. Alexander.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura E. Alexander, of Asheville, North Carolina, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, expenses incident thereto, and the subsequent death of her husband, Samuel H. Alexander, who was shot and permanently disabled February 8, 1901, while acting as assistant postmaster at Emma, North Carolina, in defending the post office against attempted robbery by armed bandits, and who died January 5, 1920, as a result of said disability: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937  
[H. R. 3259]  
[Private, No. 216]

Laura E. Alexander.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 463]

## AN ACT

For the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Northwestern Ohio Mutual Rodded Fire Insurance Company the sum of \$559.69. Such sum shall be in full satisfaction of its claim against the United States for the amount due such company on certain postal money orders presented for payment at the post office at West Unity, Ohio, in January and February 1934. The representative of such company surrendered such postal money orders in exchange for receipts from the postmaster in lieu of payment because of alleged lack of cash on hand to make payment at such time: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937  
[H. R. 3565]  
[Private, No. 217]

Northwestern Ohio  
Mutual Rodded Fire  
Insurance Company.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.



## [CHAPTER 464]

## AN ACT

For the relief of C. O. Eastman.

July 8, 1937  
[H. R. 4623]

[Private, No. 218]

C. O. Eastman.  
Credit in postal  
accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is hereby authorized and directed to credit the money-order account of C. O. Eastman, former postmaster at Wauseon, Ohio, with \$4,272.07, or so much thereof as is necessary, to relieve him for the alleged loss of paid money orders in a fire in the post office at Wauseon, Ohio, on June 11, 1934, disallowed in the audit of his accounts due to his failure to record the particulars of the said money orders.

Approved, July 8, 1937.

## [CHAPTER 465]

## AN ACT

For the relief of A. L. Mallery.

July 8, 1937  
[H. R. 4942]

[Private, No. 219]

A. L. Mallery.  
Payment to.*Proviso.*  
Limitation on attor-  
ney's, etc., fees.Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred L. Mallery, former postmaster at Lakeville, Minnesota, the sum of \$364.73 in full satisfaction of his claim against the United States for the amount of postal and money-order funds and postage stamps lost by burglary of that post office on January 6, 1933, and paid by the said former postmaster to the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

## [CHAPTER 466]

## AN ACT

For the relief of Charles B. Murphy.

July 8, 1937  
[H. R. 5337]

[Private, No. 220]

Charles B. Murphy.  
Payment to.*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles B. Murphy, of Elmira, New York, the sum of \$27 in full satisfaction of his claim against the United States for the cost of repairing a plate glass window at 314 State Street, Elmira, New York, which was broken on May 6, 1935, when a United States mail truck hurled a stone against it: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum

thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

Penalty for violation.

[CHAPTER 467]

JOINT RESOLUTION

Authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments.

July 8, 1937  
[H. J. Res. 349]  
[Priv. Res., No. 3]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following-named retired officers or employees of the United States are hereby authorized to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments:

Decorations tendered by foreign governments.

Designated officers and employees may accept.

Department of State.

Department of State: Edwin Cunningham, Carl F. Deichman, Stillman W. Eells, P. S. Heintzleman, David B. Macgowan, Robert P. Skinner, and Merritt Swift.

Department of War: Preston Brown, William H. Brown, Marion L. Elliott, Milton A. Elliott, Richard T. Ellis, LaVergne L. Gregg, Francis J. Heraty, Jefferson Kean, James F. McKinley, Alexander J. McNab, Junior, A. Kenny C. Palmer, Frederick D. Sharp, and Louis J. Van Schaick.

Department of War.

Department of the Navy: William H. Standley and Rufus F. Zogbaum.

Department of the Navy.

Department of Agriculture: James H. Kimball and Charles F. Marvin.

Department of Agriculture.

Department of Commerce: George R. Putnam.

Department of Commerce.

Approved, July 8, 1937.

[CHAPTER 475]

AN ACT

For the relief of Frank S. Walker.

July 9, 1937  
[H. R. 1406]  
[Private, No. 221]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank S. Walker, of Orange, Virginia, the sum of \$200. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter of four registered Holstein diseased cows owned by the said Frank S. Walker, the said cows having been slaughtered under the direction of the Bureau of Animal Industry of the Department of Agriculture in its mastitis elimination project but not in strict accordance with the regulations covering same: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank S. Walker.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 9, 1937.

## [CHAPTER 476]

## AN ACT

For the relief of Dominga Pardo.

July 9, 1937

[H. R. 1689]

[Private, No. 222]

Dominga Pardo.  
Payment to.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Dominga Pardo, of New York City, in full satisfaction of her claim against the United States for injuries sustained as a result of being struck by a United States mail truck of the Post Office Department, New York, New York, on October 1, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

## [CHAPTER 477]

## AN ACT

For the relief of Allie Rankin.

July 9, 1937

[H. R. 3339]

[Private, No. 223]

Allie Rankin.  
Payment to.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Allie Rankin, of route numbered 2, Wheelersburg, Ohio, in full satisfaction of her claim against the United States for personal injuries and disease contracted by her when she fell through the floor of a sanitary unit, on January 3, 1936, which unit had been negligently constructed in Scioto County, Ohio, by employees of the Works Progress Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

## [CHAPTER 478]

## AN ACT

For the relief of W. R. Fuchs.

July 9, 1937

[H. R. 4682]

[Private, No. 224]

W. R. Fuchs.  
Credit in accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of W. R. Fuchs, former disbursing clerk,

Department of Agriculture, with any amount which he has disallowed, or may disallow, arising from erroneous payments of salary at \$1,620 per annum, to Kathryn M. Tobin, former employee of the Agricultural Adjustment Administration, for the period from August 4, 1933, to November 8, 1933, both inclusive.

Approved, July 9, 1937.

[CHAPTER 479]

AN ACT

For the relief of Mr. and Mrs. Frank Muzio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, jointly to Mr. and Mrs. Frank Muzio, of Brooklyn, New York, in full satisfaction of their claim against the United States for the death of their minor son, Benjamin, who died from injuries sustained when struck by a United States mail truck at Brooklyn, New York, on February 5, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

July 9, 1937  
[H. R. 5102]  
[Private, No. 225]

Mr. and Mrs. Frank  
Muzio.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 480]

AN ACT

For the relief of Willard Webster.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willard Webster, of Beaver Falls, Pennsylvania, the sum of \$2,500 in full settlement of all claims against the Government of the United States for personal injuries suffered by him as a result of being struck by a Post Office Department truck operated by an employee of the Government, in Beaver Falls, Pennsylvania, November 8, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

July 9, 1937  
[H. R. 5496]  
[Private, No. 226]

Willard Webster.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 489]

## AN ACT

For the relief of Adele Fowlkes.

July 10, 1937

[H. R. 3967]

[Private, No. 227]

Adele Fowlkes.  
Payment to.*Proriso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary to the Terasury<sup>1</sup> be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Adele Fowlkes, the sum of \$2,984.75, in full settlement of her claim against the United States for personal injuries incurred July 1, 1933, when a bridge gave way over Chasm Falls at Estes Park, Rocky Mountain National Park, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 10, 1937.

## [CHAPTER 490]

## AN ACT

For the relief of W. D. Davis.

July 12, 1937

[H. R. 1851]

[Private, No. 228]

W. D. Davis.  
Suit for damages in district court, authorized.

Jurisdiction of court.

Procedure, evidence, etc.

*Provisos.*  
Notice, etc., to Attorney General.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That W. D. Davis, of Fort Worth, Texas, as successor to the firm of W. D. and M. L. Davis, statutes of limitations being waived, is authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due from the United States on account of loss sustained by the firm arising out of action of inspectors of the Bureau of Animal Industry of the United States Department of Agriculture during 1917 and 1918 in driving cattle infested with Texas fever ticks, or having such cattle driven under their direction or supervision, over the land of the firm, or using the firm's dipping vats for dipping such tick-infested cattle. For the purposes of such suit said W. D. Davis shall have all the rights of the firm.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine such claim without the intervention of a jury. The action in said court may be presented by a petition making the United States party defendant and shall set forth all the facts upon which the claimant bases his claim, and the petition may be verified by the agent or attorney of said claimant; official letters, reports, and public records, or certified copies thereof, may be used as evidence; and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to said claimant by reason of the alleged action, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimant and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and

<sup>1</sup> So in original.

upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within six months of the date of the approval of this Act.

Approved, July 12, 1937.

[CHAPTER 491]

AN ACT

For the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to allow payment or credit, as the case may be, and upon approval thereof by the Secretary of the Interior, in connection with the following claims or paid vouchers for traveling expenses on change of station or for mileage of personally owned automobiles in the same manner and to the same extent as though the required authorization had been issued prior to the date the expense was incurred:

(1) To allow payment to the following-named persons in the amounts stated, from appropriations chargeable therefor: John L. Buckley, \$5.15; Agnes L. Burke, \$17.82; Celia E. Davis, \$5.15; Cecil J. Dowd, \$28.33; Dan W. Herring, \$5.15; John W. Jackson, \$141.37; Alexander F. Kelly, \$75.40; William H. Selvey, \$45.06; Maurice P. Shaner, \$47.90; Owen B. Sherwood, \$47.96; and Miller L. West, \$114.40;

(2) To allow credit in the account of Frank A. Lewis, special disbursing agent, accounts for September and October, 1933, as follows: Voucher 2794 (James W. Smith), \$63.25; voucher 2795 (C. L. Anderson), \$8.65; voucher 2981 (Joseph L. Quinn), \$57.95; voucher 2983 (Avery H. Alcorn), \$131.40; voucher 3011 (J. M. Flanigan, Junior), \$141.85; voucher 3013 (Howard E. Tyson), \$113.70; voucher 3014 (Kent B. Knox), \$165.15; voucher 3015 (W. H. Pontius), \$114.60; voucher 3016 (Tilden E. Guillory), \$28.05; voucher 3018 (F. H. Martin), \$112.70; voucher 3024 (A. P. Thornton), \$64.85; voucher 3025 (R. L. Knight), \$109.65; voucher 3036 (Joe DeuPree), \$49.80; voucher 3047 (Walter S. Behrens), \$82.40; voucher 3041 (J. N. English), \$103.35; voucher 3042 (M. C. Parrish, Junior), \$92.45; voucher 3043 (G. H. Flagg), \$110.30; voucher 3044 (J. G. Floyd), \$75.70; voucher 3045 (Wilson Keyes), \$137.55; voucher 3069 (Halvor P. McGrath), \$21; voucher 3070 (Joe C. Hemphill), \$33.30; voucher 3077 (Glenn O. Briscoe), \$35.10; voucher 3081 (J. H. Lawrence), \$84.45; and voucher 3378 (J. H. Lawrence), \$14.05;

(3) To allow credit in the account of G. F. Allen, chief disbursing officer, account for November 1934, as follows: Voucher 459021 (W. A. Whittlesey), \$58.80;

(4) No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 12, 1937.

Commencement of suit.

July 12, 1937  
[H. R. 2774]  
[Private, No. 229]

Division of Investigation, etc., Interior Department.

Credits or payments for traveling expenses, etc., of persons designated.

Payments.

Credits in accounts.

G. F. Allen.

Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 492]

## AN ACT

July 13, 1937  
[S. 2497]  
[Private, No. 230]

Authorizing John Monroe Johnson, Assistant Secretary of Commerce, to accept the decoration tendered him by the Belgian Government.

John Monroe Johnson.  
Acceptance of decoration, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That John Monroe Johnson, Assistant Secretary of Commerce, is authorized to accept the decoration which has been tendered him by the Belgian Government.

Approved, July 13, 1937.

## [CHAPTER 493]

## AN ACT

July 13, 1937  
[S. 557]  
[Private, No. 231]

Authorizing the naturalization of James Lincoln Hartley, and for other purposes.

James Lincoln Hartley.  
Entry for permanent residence legalized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of the immigration laws James Lincoln Hartley, a native-born citizen of the United States who involuntarily lost his citizenship at the age of seven years by reason of the naturalization of his father as a citizen of Canada, shall be held and considered to have been legally admitted to the United States for permanent residence.

Naturalization authorized.

SEC. 2. Notwithstanding any other provision of law, said James Lincoln Hartley may be naturalized as a citizen of the United States by filing a declaration of intention and taking the oath of allegiance in the manner prescribed in the naturalization laws before any court having jurisdiction of the naturalization of aliens.

Approved, July 13, 1937.

## [CHAPTER 495]

## AN ACT

July 13, 1937  
[S. 727]  
[Private, No. 232]

Validating homestead entry Billings 029004 of Lillian J. Glinn.

Lillian J. Glinn.  
Homestead entry validated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the stock-raising homestead entry, Billings 029004, made by Lillian J. Glinn on June 28, 1927, as amended, for all of section 32, township 7 south, range 54 east, Montana principal meridian, is hereby validated, and the Secretary of the Interior is hereby authorized to accept the final proof submitted by the entrywoman, now Lillian J. Castleberry, in support of said homestead entry on December 20, 1934, and to issue patent for the entry in regular course.

Approved, July 13, 1937.

## [CHAPTER 496]

## AN ACT

July 13, 1937  
[S. 767]  
[Private, No. 233]

For the relief of the Charles T. Miller Hospital, Incorporated, at Saint Paul, Minnesota; Doctor Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse.

Charles T. Miller Hospital, etc.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the naval hospital fund to the Charles T. Miller Hospital, Incorporated, at Saint Paul, Minnesota, the sum of \$135.45; to Doctor Edgar T. Herrmann, the sum of \$117; to Ruth Kehoe, nurse, the sum of \$9; and to Catherine Foley, nurse, the sum of \$4; in all, \$265.45, in full settlement of all claims against the Government of the United States for services and professional treatment rendered

Leonard James Graves, storekeeper, second-class, (F-1) United States Naval Reserve, while ill with diabetic acidosis during the period from August 17, 1935, to September 7, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 13, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 497]

AN ACT

To provide for the advancement on the retired list of the Navy of Clyde J. Nesser, a lieutenant (junior grade), United States Navy, retired.

July 13, 1937  
[S. 1474]  
[Private, No. 234]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the date of enactment of this Act, Clyde J. Nesser, lieutenant (junior grade), United States Navy, retired, shall have the rank of a lieutenant on the retired list of the United States Navy.

Approved, July 13, 1937.

Clyde J. Nesser.  
Advancement to lieutenant, Navy, retired.

[CHAPTER 498]

AN ACT

For the relief of George E. Shockley.

July 14, 1937  
[S. 171]  
[Private, No. 235]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George E. Shockley, of Rehoboth, Delaware, the sum of \$323, in full settlement of all claims against the Government for losses occasioned by the cancelation of a contract entered into between the said George E. Shockley and the United States Coast Guard Service for repairs and additions to the lifeboat house and launchway at Lewes (Delaware) Coast Guard Station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 14, 1937.

George E. Shockley.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 499]

AN ACT

For the relief of Mildred Moore.

July 15, 1937  
[S. 114]  
[Private, No. 236]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Mildred Moore.  
Payment to.



*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Mildred Moore, of Chicago, Illinois, the sum of \$1,250 in full satisfaction of her claim against the United States for compensation for bodily injuries suffered by her when the automobile in which she was riding was struck by a United States Army automobile driven by R. H. Pearson at the intersection of Fifty-seventh Street and Drexel Avenue in Chicago, Illinois, on February 2, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 15, 1937.

#### [CHAPTER 501]

#### AN ACT

For the relief of Ellen Taylor.

July 16, 1937  
[S. 828]

[Private, No. 237]

Ellen Taylor.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ellen Taylor, of Richmond, Virginia, the sum of \$2,626 in full and final settlement of any and all claims against the United States for injuries sustained when the automobile in which she was a passenger was struck by a National Capital Parks truck at the intersection of Twentieth and Otis Streets Northeast, Washington, District of Columbia, on September 15, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

#### [CHAPTER 502]

#### AN ACT

For the relief of Alexander E. Kovner.

July 16, 1937  
[S. 1048]

[Private, No. 238]

Alexander E. Kovner.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander E. Kovner, of San Francisco, California, the sum of \$5,000, in full settlement of all claims against the United States for cost of hospital and medical care, pain and suffering, and permanent disability, resulting from the said Alexander E. Kovner being struck

by a truck belonging to the Third Brigade of the United States Marines, in the city of Tientsin, China, on May 14, 1928, such accident being due to the negligence of the driver of the said truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 503]

AN ACT

For the relief of J. E. Sammons.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. Sammons, of Macon, Georgia, the sum of \$161.98 in full satisfaction of his claim against the United States for the value of thirty-five and ninety-nine one-hundredths acres of land in Putnam County, Georgia, at \$450 per acre, which he conveyed by deed to the Government, represented by the Resettlement Administration, and for which he was not paid because of an erroneous survey of the tract by the General Land Office in February 1935, describing it as two hundred and thirty and seventy-two one-hundredths acres, whereas it in fact contained two hundred and sixty-six and seventy-two one-hundredths acres by subsequent survey of June 14, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

July 16, 1937

[S. 1188]

[Private, No. 239]

J. E. Sammons.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 504]

AN ACT

For the relief of Halle D. McCullough.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Halle D. McCullough, as Superintendent and special disbursing agent of Fort Berthold Indian Agency, Elbowoods, North Dakota, for expenditures of \$283.61 and \$107.06 made during the month of June 1933 from the fund "Indian moneys, proceeds of labor, Fort Berthold Agency", which sums have been disallowed by the General Accounting Office for lack of accounting evidence to substantiate the propriety of the expenditures.

Approved, July 16, 1937.

July 16, 1937

[S. 1934]

[Private, No. 240]

Halle D. McCullough.  
Credit in accounts.

## [CHAPTER 505]

## AN ACT

For the relief of H. G. Harmon.

July 16, 1937

[S. 885]

[Private, No. 241]

H. G. Harmon.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to H. G. Harmon, of Hampton, Iowa, the sum of \$500 in full satisfaction of his claim against the Government for damages arising out of personal injuries to his wife and son and the destruction of his automobile, suffered when such automobile was struck and completely demolished by a Civilian Conservation Corps truck, on September 10, 1935, near Hampton, Iowa, and for expenses and losses resulting therefrom: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

## [CHAPTER 507]

## AN ACT

For the relief of the Sheehy Drilling Company.

July 17, 1937

[S. 630]

[Private, No. 242]

Sheehy Drilling  
Company.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Sheehy Drilling Company, of Casper, Wyoming, out of any money in the Treasury not otherwise appropriated, the sum of \$660, said sum to be in full settlement of any and all claims against the Government for the balance due said Sheehy Drilling Company for completing performance of Department of the Interior (United States Geological Survey) contract No. 1-ga-2423, dated October 5, 1933, for plugging and abandonment of the Zola Oil Company well numbered 1, located on the southeast northwest section 25, township 27 north, range 93 west sixth principal meridian, Crook's Creek Area, in Fremont County, Wyoming, on canceled oil and gas prospecting permit, Cheyenne 029569: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

## [CHAPTER 508]

## AN ACT

For the relief of the Goldenberg Furniture Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Goldenberg Furniture Company, Parkersburg, West Virginia, the sum of \$115.25. Such sum shall be in full satisfaction of its claim against the United States for the value of certain materials and equipment (plus the cost of labor on a portion thereof) furnished the district engineer, fourth district, Works Progress Administration, Parkersburg, West Virginia, by the said Goldenberg Furniture Company. The claim of such company for the payment of such sum was disallowed by the Acting Comptroller General of the United States on the ground that such materials and equipment were delivered and labor thereon performed upon the verbal order of an employee of the Works Progress Administration who was not authorized to act as a purchasing or contracting officer for the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

July 17, 1937  
[S. 1849]  
[Private, No. 243]

Goldenberg Furni-  
ture Company.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

## [CHAPTER 509]

## AN ACT

For the relief of John A. Ensor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Ensor, of Sparks, Maryland, the sum of \$25. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, prior to its registration as a purebred, of one diseased cow owned by the said John A. Ensor and in furtherance of the Bureau of Animal Industry's project for the elimination of Bang's disease: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

July 17, 1937  
[S. 2266]  
[Private, No. 244]

John A. Ensor.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

## [CHAPTER 510]

## AN ACT

For the relief of James H. Smith.

July 19, 1937  
[S. 1257]  
[Private, No. 245]

James H. Smith.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James H. Smith, of Washington, District of Columbia, formerly employed as laboratorian in roentgenology by the United States Veterans' Bureau, the sum of \$5,000 in full settlement of all claims against the Government for injuries received by him as a result of X-ray burns sustained by him in August 1922 and March 1923 while employed at the United States veterans' hospital at Dwight, Illinois, and at the United States Veterans' Bureau regional office at Lexington, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 19, 1937.

## [CHAPTER 512]

## AN ACT

For the relief of Eva Markowitz.

July 19, 1937  
[H. R. 458]  
[Private, No. 246]

Eva Markowitz.  
Payment to, in monthly installments.

*Provisos.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Commencement of payments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva Markowitz, of New York City, New York, for herself and on behalf of her three minor children, not to exceed \$4,000, in monthly installments of \$90 each, in full settlement of all claims against the Government on account of the death of her husband, the late Max Markowitz, who fell from and was run over by a Government-owned truck on April 30, 1935, when he was being transported from assigned work at the United States Northeastern Penitentiary, Lewisburg, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided further*, That payments hereunder shall commence on the first day of the calendar month following the enactment of this Act.

Approved, July 19, 1937.

## [CHAPTER 513]

## AN ACT

For the relief of Joseph M. Clagett, Junior.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the guardian of Joseph M. Clagett, Junior, the sum of \$1,500, and the additional sum of \$40 per month during the remainder of his natural life, in full settlement of all claims against the United States for injuries sustained by him on December 27, 1934, caused by a fall down an open elevator shaft in a building in Philadelphia, Pennsylvania, owned by the United States Government and under the jurisdiction of the Treasury Department, Procurement Division: *Provided*, That the guardian of Joseph M. Clagett, Junior, shall file an annual report with the Secretary of the Treasury as to the physical condition of Joseph M. Clagett, Junior: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding: *Provided further*, That for the purpose of calculating the attorney fees allowed under this Act the sum of \$4,500 shall be taken as the maximum amount of the annuity under the provisions of this Act. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

## [CHAPTER 514]

## AN ACT

For the relief of Noah Spooner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Noah Spooner, of Quincy, Florida, the sum of \$250 in full satisfaction of his claim against the United States for damages on account of personal injuries suffered by him when the car in which he was riding was struck by a Forest Service truck operated in connection with the Civilian Conservation Corps near Wilma, Florida, on May 27, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

July 21, 1937  
[H. R. 730]

[Private, No. 247]

Joseph M. Clagett,  
Jr.  
Payment to.*Provisos.*  
Annual report as to  
physical condition.Limitation on attor-  
ney's, etc., fees.

Basis of calculation.

Penalty for viola-  
tion.July 21, 1937  
[H. R. 3634]

[Private, No. 248]

Noah Spooner.  
Payment to.*Proviso.*  
Limitation on attor-  
ney's, etc., fees.Penalty for viola-  
tion.

## [CHAPTER 515]

## AN ACT

For the relief of Walter T. Karshner, Katherine Karshner, Anna M. Karshner, and Mrs. James E. McShane.

July 21, 1937  
[H. R. 1377]  
[Private, No. 249]

Walter T. Karsh-  
ner and others.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Walter T. Karshner, the sum of \$600; to Katherine Karshner, the sum of \$80; to Anna M. Karshner, the sum of \$600; and to Mrs. James E. McShane, the sum of \$300, in full and final settlement of any and all claims against the Government for damages resulting from personal injuries and property damage received by them on January 29, 1935, at Columbus, Ohio, by reason of an automobile collision involving a Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

## [CHAPTER 518]

## AN ACT

For the relief of William Sulem.

July 22, 1937  
[H. R. 2332]  
[Private, No. 250]

William Sulem.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Sulem, of the township of Franklin, county of Somerset, and State of New Jersey, the sum of \$750, in full settlement of all claims against the Government of the United States for injuries received by and damages to property of the said William Sulem while operating his automobile on the public highway in New Brunswick, New Jersey, by the negligent operation of a United States Government mail truck, numbered 9920, on said highway in said city while said truck was in the care and custody of and being driven by an operative of the United States Post Office Department under the orders of the Postmaster in the United States Postal Service at New Brunswick, New Jersey: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 22, 1937.

## [CHAPTER 519]

## AN ACT

For the relief of Mr. and Mrs. David Stoppel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. David Stoppel, of Butte County, South Dakota, the sum of \$5,000 in full settlement of all claims against the United States for the death of their minor son, David Stoppel, Junior, who was killed on September 11, 1936, when run over and crushed by a tractor owned by the Emergency Conservation Works<sup>1</sup> and assigned to the Civilian Conservation Corps camp near Fruitdale, South Dakota, which camp is operated by the Bureau of Reclamation of the Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 22, 1937.

July 22, 1937  
[H. R. 2562]  
[Private, No. 251]

Mr. and Mrs. David  
Stoppel.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 521]

## AN ACT

For the relief of Venice La Prad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the legal guardian of Venice La Prad the sum of \$750, in full settlement of all claims for damages for personal injuries received by being run over by a truck operated by the Civilian Conservation Corps, Camp S-52, on the Lee Highway in Roanoke County, Virginia, on November 16, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 23, 1937.

July 23, 1937  
[H. R. 1945]  
[Private, No. 252]

Venice La Prad.  
Payment to guardian of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 535]

## AN ACT

For the relief of Emory M. McCool, United States Navy, retired.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of section 2 of the Act approved May 23, 1930 (46 Stat. 375; U. S. C., title 34, sec. 790), Emory M. McCool, chief machinist's mate, United States Navy, retired, shall be held

July 28, 1937  
[H. R. 6402]  
[Private, No. 253]

Emory M. McCool,  
Navy, retired.  
Service record corrected.  
46 Stat. 375.  
34 U. S. C. § 790.

<sup>1</sup> So in original.



Payment to.

34 U. S. C. § 431.

and considered to have completed thirty years' service, including naval service, time in the Fleet Naval Reserve, and Army service, including double time for service in the Philippines from November 28, 1899, to May 18, 1901, for the purpose of transfer to the retired list of the United States Navy, on May 19, 1929, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Emory M. McCool the sum of \$630, which sum represents allowances at \$15.75 per month, covering the period from May 19, 1929, to and including September 30, 1932, authorized by existing law (U. S. C., title 34, sec. 431) to be paid to enlisted men upon transfer to the retired list of the Navy upon completion of thirty years' service.

Approved, July 28, 1937.

## [CHAPTER 549]

## AN ACT

For the relief of Weymouth Kirkland and Robert N. Golding.

July 30, 1937  
[H. R. 1086]  
[Private, No. 254]

Weymouth Kirk-  
land and Robert N.  
Golding.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Weymouth Kirkland the sum of \$2,000, and to Robert N. Golding the sum of \$3,155.70; in all, \$5,155.70, in full settlement of all claims against the United States, for legal services rendered to the Railroad Labor Board under the direction and approval of the Department of Justice: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 30, 1937.

## [CHAPTER 550]

## AN ACT

For the relief of Joseph A. Rudy.

July 30, 1937  
[H. R. 3251]  
[Private, No. 255]

Joseph A. Rudy.  
Disability claim of,  
to be determined.

39 Stat. 746.  
5 U. S. C. §§ 765-770.

Time limitations  
waived.

*Provisos.*  
Filing of claim.  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and determine the claim of Joseph A. Rudy for disability alleged to have resulted from an injury sustained by him on November 15, 1927, while in the employ of the Bureau of Narcotics, Treasury Department, under the provision of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitations in sections 15 to 20, both inclusive, of said Act are hereby waived: *Provided*, That such claim be filed within sixty days after the passage of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, July 30, 1937.

[CHAPTER 551]

AN ACT

For the relief of N. C. Nelson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle the claim of N. C. Nelson for remission of liquidated damages in connection with the painting of certain buildings at the Veterans' Administration hospital, Chillicothe, Ohio, and to allow said claim in the amount of \$870 in addition to the amount paid to said N. C. Nelson under contract numbered VBe-374, dated November 3, 1928; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$870 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 30, 1937.

July 30, 1937  
[H. R. 4246]  
[Private, No. 256]

N. C. Nelson.  
Remission of liquidated damages.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 555]

AN ACT

For the relief of J. R. Collie and Eleanor Y. Collie.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. R. Collie and Eleanor Y. Collie, of Raleigh, North Carolina, father and mother of J. R. Collie, Junior, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full satisfaction of their claims against the United States for the death of said J. R. Collie, Junior, a civilian employee, who was killed while in the employment of the United States Motor Transport Corps by an Army truck, numbered 225, at the Army supply base, Norfolk, Virginia, on August 15, 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 2, 1937.

August 2, 1937  
[S. 455]  
[Private, No. 257]

J. R. and Eleanor Y. Collie.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 558]

AN ACT

For the relief of Asa J. Hunter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Asa J. Hunter the sum of \$250. Such sum shall be in full satisfaction of all claims against the United States for damages resulting

August 3, 1937  
[S. 1067]  
[Private, No. 258]

Asa J. Hunter.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

from personal injuries sustained by him when his automobile was struck by a United States post-office truck on October 6, 1930, in the city of Minneapolis, Minnesota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 3, 1937.

[CHAPTER 559]

AN ACT

For the relief of Marion Shober Phillips.

August 3, 1937  
[H. R. 2093]  
[Private, No. 259]

Marion Shober Phillips.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion Shober Phillips the sum of \$2,500, the payment of such sum being in full satisfaction of all claims against the United States by reason of injuries sustained by the said Phillips on May 27, 1934, while assisting Government officers, under their orders, in seizing and destroying an illicit liquor distillery: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 3, 1937.

[CHAPTER 560]

AN ACT

For the relief of G. L. Tarlton.

August 3, 1937  
[S. 1143]  
[Private, No. 260]

G. L. Tarlton.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to G. L. Tarlton, of Saint Louis, Missouri, the sum of \$22,007.34 in full settlement of his claim against the United States for increased cost of labor and material incurred in complying on and after August 10, 1933, with the President's Reemployment Agreement and/or the applicable approved code in the performance of his contract with the War Department dated February 15, 1933, for the construction of a lock at lock and dam numbered 1, Barren River, Kentucky, and

other work connected therewith: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 3, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 561]

AN ACT

For the relief of the Frazier-Davis Construction Company.

August 3, 1937

[S. 1144]

[Private, No. 261]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Frazier-Davis Construction Company, of Saint Louis, Missouri, the sum of \$25,144.76 in full settlement of the claim of said company against the United States for increased cost of labor and material incurred in complying on and after August 10, 1933, with the President's Reemployment Agreement and/or the applicable approved code in the performance of its contract with the War Department dated January 19, 1933, for the construction of lock and dam numbered 5, Green River, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frazier-Davis Construction Company.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 3, 1937.

[CHAPTER 562]

AN ACT

For the relief of Dewey Jack Krauss, a minor.

August 4, 1937

[H. R. 1420]

[Private, No. 262]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to the legal guardian of Dewey Jack Krauss, of Fabens, Texas, for serious and permanent injury suffered by said Dewey Jack Krauss, while swimming in the "Water Pumps" near Fabens, Texas, which body of water is under the management and jurisdiction of the Bureau of Reclamation, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dewey Jack Krauss.  
Payment to guardian of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 4, 1937.

## [CHAPTER 575]

## AN ACT

For the relief of Josephine M. Scott.

August 10, 1937

[S. 184]

[Private, No. 263]

Josephine M. Scott.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine M. Scott, widow of Harry Scott, of Opheim, Montana, the sum of \$1,000 in full settlement of all claims against the Government for the loss of a valuable registered Percheron stallion, the death of which was caused by a test for dourine made by Doctor Perry Zenor, a veterinarian and representative of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 10, 1937.

## [CHAPTER 576]

## AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

August 10, 1937

[S. 2334]

[Private, No. 264]

Army disbursing officers.  
Credits allowed in accounts of designated.*Proviso.*  
Accountability.

Maj. H. G. Foster.

*Provisos.*  
Refund to Capt. William C. Carne.

Accountability.

Lt. Col. Clarence M. McMurray.  
Allowance for shipment of property of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Major E. T. Comegys, Finance Department, \$80.54; Captain J. H. Dickie, Finance Department, \$13.30; Major E. F. Ely, Finance Department, \$51.40; Major H. G. Foster, Finance Department, \$36.86; and Lieutenant Colonel F. M. Holmes, Finance Department, \$39, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, Reserve Officers' Training Corps, and the Regular Army, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major H. G. Foster, Finance Department, \$38, representing overpayment to a Civilian Conservation Corps enrollee for the months of August and September 1934: *Provided*, That there be refunded to Captain William C. Carne, Fourth Regiment United States Infantry, \$9.50 on account of payment made by him on this account: *Provided further*, That no charge shall be raised against any individual other than the payee.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the disbursing officer of the Army making payment therefor the cost of shipment by rail of household goods and personal property belonging to Lieutenant Colonel (then Major) Clarence M. McMurray.

ray, Infantry, on permanent change of station from Fort Lewis, Washington, to Newport, Kentucky, in December 1933 in a sum not exceeding \$188.29.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lieutenant W. J. Matteson, Corps of Engineers, \$27,044, representing the amount paid by him for the construction of two additions to the Munitions Building under contracts with Birchett and Atkins, Incorporated, and the Charles H. Tompkins Company, and approved by the Secretary of War, which amount has been disallowed by the Comptroller General of the United States on the grounds that the appropriation expended was not available for construction in the District of Columbia: *Provided*, That any amounts collected from either of the contractors on account of these payments prior to the passage of this Act shall be refunded to them.

First Lt. W. J. Matteson.  
Credit in accounts.

*Proviso.*  
Refunds.

SEC. 5. That in all cases where suit has been instituted in the courts against any disbursing officer covering items subsequently cleared by the action of the Congress or otherwise, such clearance of the principal amount shall be considered and construed as precluding the recovery of any interest charges from the disbursing officer arising from any items so cleared.

Interest charges.

Approved, August 10, 1937.

[CHAPTER 577]

AN ACT

For the relief of R. L. McLachlan.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. L. McLachlan, of Estill, Missouri, the sum of \$75 in full settlement of all claims against the United States for damages to him caused by the death of one purebred cow and one grade cow, known as abortion reactors, in connection with the Government's efforts to eradicate this disease from the dairy herds of Howard County, Missouri: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 10, 1937  
[S. 2399]  
[Private, No. 265]

R. L. McLachlan.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 10, 1937.

[CHAPTER 582]

AN ACT

For the relief of Ethel Smith McDaniel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as

August 11, 1937  
[S. 972]  
[Private, No. 266]

Ethel Smith McDaniel.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746.  
5 U. S. C. §§ 765-770

amended, are hereby waived in favor of Ethel Smith McDaniel, widow of Travis McDaniel, who died on April 16, 1934, and whose death is alleged to have resulted from disability incurred on January 8, 1929, while an employee of the United States Railway Mail Service, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider her claim under the remaining provisions of said Act: *Provided*, That claim hereunder shall be made within six months from the date of the approval of this Act: *And provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 11, 1937.

*Proviso.*  
Time limitation.

No prior benefits.

[CHAPTER 583]

AN ACT

For the relief of Maude P. Gresham and Agnes M. Driscoll.

August 11, 1937  
[S. 1453]

[Private, No. 267]

Maude P. Gresham  
and Agnes M. Driscoll.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maude P. Gresham, widow of William F. Gresham, late commander, United States Navy, the sum of \$8,690.55, and to Agnes M. Driscoll the sum of \$6,250, out of any money in the Treasury not otherwise appropriated, said sums to be in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F. Gresham and Agnes M. Driscoll, which said invention has been accepted by the Navy Department for use in connection with naval communication facilities: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 11, 1937.

[CHAPTER 584]

AN ACT

To provide for the holding of an examination by the Board of Optometry of the District of Columbia for a license to practice optometry in the District of Columbia for Welton B. Hutton.

August 11, 1937  
[H. R. 4536]

[Private, No. 268]

Welton B. Hutton.  
Examination for optometry license authorized.  
43 Stat. 177.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any limitations relating to the time required to be engaged in the practice of optometry as set forth in the Act entitled "An Act to regulate the practice of optometry", District of Columbia, 1924, the Board of Optometry in and for the District of Columbia is authorized and directed to hold an examination for a license to practice optometry in the District of Columbia for Welton B. Hutton, Washington, District of Columbia, in accordance with the other provisions of the aforesaid Act.

Approved, August 11, 1937.

## [CHAPTER 585]

## AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Frederick W. Didier.

August 11, 1937  
[H. R. 4876]  
[Private, No. 269]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Frederick W. Didier in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, approved February 27, 1929.

Dr. Frederick W. Didier.  
License to practice the healing art in the District of Columbia.

45 Stat. 1334.

Approved, August 11, 1937.

## [CHAPTER 586]

## AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor William Justin Olds.

August 11, 1937  
[H. R. 4982]  
[Private, No. 270]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor William Justin Olds, Front Royal, Virginia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Dr. William Justin Olds.  
License to practice the healing art in the District of Columbia.

45 Stat. 1334.

Approved, August 11, 1937.

## [CHAPTER 587]

## AN ACT

To provide for the issuance of a license to practice chiropractic in the District of Columbia to Doctor Russell V. Pemberton.

August 11, 1937  
[H. R. 5110]  
[Private, No. 271]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any limitation relating to the time within which an application for a license must be filed the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice chiropractic in the District of Columbia to Doctor Russell V. Pemberton in accordance with the provisions of the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, and on condition that the said Russell V. Pemberton shall be found by said Commission to be otherwise qualified to practice under the provisions of said Act.

Dr. Russell V. Pemberton.  
License to practice chiropractic in the District of Columbia.

45 Stat. 1335.

Approved, August 11, 1937.

## [CHAPTER 610]

## AN ACT

For the relief of Orson Thomas.

August 12, 1937  
[S. 191]  
[Private, No. 272]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

Orson Thomas.  
Payment to.



*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

to Orson Thomas, of Salt Lake City, Utah, the sum of \$1,200 in full settlement of all claims against the United States for damages on account of injuries resulting from being struck by an Army truck on February 25, 1932, at Salt Lake City, Utah: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 611]

AN ACT

For the relief of the estate of Charles Pratt.

August 12, 1937  
[S. 449]  
[Private, No. 273]

Charles Pratt.  
Payment to estate of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of Charles Pratt, deceased, formerly of Chittenden County, Vermont, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries sustained by Charles Pratt as the result of an accident involving a Government truck, operated in connection with the Civilian Conservation Corps, near Williston, Vermont, on January 26, 1934, which injuries contributed to his death a few months thereafter: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 612]

AN ACT

For the relief of Thomas W. Seay.

August 12, 1937  
[S. 1044]  
[Private, No. 274]

Thomas W. Seay.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas W. Seay, of Albuquerque, New Mexico, the sum of \$10,000 in full settlement of any and all claims against the Government on account of personal injuries sustained by him as a result of gun-shot wounds received while in the performance of his duty as a deputy sheriff attempting to arrest a counterfeiter, said injuries having resulted in his permanent total disability: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or

attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

Penalty for violation.

[CHAPTER 613]

AN ACT

For the relief of Pauline M. Warden, nee Pauline McKinney.

August 12, 1937

[S. 1219]

[Private, No. 275]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by sundry Acts, including the Act of February 15, 1934 (48 Stat. 351), the United States Employees' Compensation Commission is hereby authorized and directed to extend the provisions of said Acts to Pauline M. Warden (nee Pauline McKinney), of Tulsa, Oklahoma, for personal injuries sustained by her on August 17, 1934, on United States Highway Numbered 77, near Wayne, Oklahoma, while in the performance of her duties as a nonrelief administrative employee of the Federal Emergency Relief Administration for the State of Oklahoma: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act.

Pauline M. Warden.  
Provisions of designated disability Acts extended to.

39 Stat. 742; 48 Stat. 351.

5 U. S. C. §§ 751-796.

*Proviso.*  
Filing of claim.

Approved, August 12, 1937.

[CHAPTER 614]

AN ACT

For the relief of Harry Burnett.

August 12, 1937

[S. 1822]

[Private, No. 276]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Burnett, of Eunice, New Mexico, the sum of \$300 in full settlement of any and all claims against the Government on account of personal injuries sustained by him in a collision with an automobile owned by the United States Government and driven by Howard H. Major, agent and employee of the Government, in the service of the Division of Grazing, on Highway Numbered 285 at a point about nine miles north of Encino, New Mexico, on December 1, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry Burnett.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1937.

[CHAPTER 615]

AN ACT

For the relief of the Consolidated Aircraft Corporation.

August 12, 1937  
[S. 1881]  
[Private, No. 277]

Consolidated Air-  
craft Corporation.  
Payment to.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Consolidated Aircraft Corporation the sum of \$79,116.88, in full settlement of all claims against the United States for additional costs incurred by such corporation in the performance of a contract with the Department of the Navy dated June 13, 1933 (contract numbered No.-31792): *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 616]

AN ACT

To provide for the reimbursement of certain civilian employees of the Navy for the value of personal effects destroyed in a fire at the Naval Air Station, Hampton Roads, Virginia, May 15, 1936.

August 12, 1937  
[H. R. 4676]  
[Private, No. 278]

Naval Air Station,  
Hampton Roads, Va.  
Reimbursement of  
certain employees for  
personal property  
losses.

Provisos.  
Amount to each  
claimant.

Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,101.20, or such portion as may be necessary, to pay claims of civilian employees of the United States Navy for the value of personal effects destroyed as the result of a fire at the Naval Air Station, Hampton Roads, Virginia, May 15, 1936: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 617]

AN ACT

For the relief of John P. Ryan.

August 12, 1937  
[H. R. 5158]  
[Private, No. 279]

John P. Ryan.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John P. Ryan,

of Worcester, Massachusetts, the sum of \$2,115, in full settlement of his claim against the United States for personal injuries sustained when he was struck by a United States Navy truck, on August 12, 1931, at the intersection of Ninth Avenue and Pike Street, Seattle, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1937.

[CHAPTER 634]

AN ACT

For the relief of George Smith and Ketha Smith.

August 14, 1937  
[S. 176]

[Private, No. 280]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George Smith and Ketha Smith, of Mobile, Alabama, the sum of \$2,250 in full settlement of all claims against the United States Government for damage to their automobile and for bodily injuries sustained by them on September 3, 1934, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps, near Mobile, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

George Smith and  
Ketha Smith.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1937.

[CHAPTER 635]

AN ACT

For the relief of Margaret Larson, a minor.

August 14, 1937  
[S. 792]

[Private, No. 281]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Margaret Larson, a minor, of Ephrata, Washington, the sum of \$2,500 in full settlement of all claims of said guardian and minor against the Government of the United States for injuries received by Margaret Larson on August 30, 1935, when she was struck by a truck belonging to the United States Department of Commerce on the highway between Soap Lake and Ephrata, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by

Margaret Larson.  
Payment to guardian of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for viola-  
tion.

any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

[CHAPTER 636]

AN ACT

August 14, 1937  
[S. 893]  
[Private, No. 282]

Conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor.

Jack Wade and  
others.  
Claims of, referred  
to Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor, all of Mancos, Colorado, for damages resulting from personal injuries sustained by them in a collision with a Civilian Conservation Corps truck on the public highway on the crest of Navajo Hill, in Mesa Verde National Park, Colorado, on January 7, 1935: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court: *Provided further*, That said suit shall be brought and commenced within six months of the date of the passage of this Act.

*Proviso.*  
Notice to Attorney  
General.  
Commencement of  
suit.

Approved, August 14, 1937.

[CHAPTER 637]

AN ACT

August 14, 1937  
[H. R. 991]  
[Private, No. 283]

For the relief of Adelaide Guerini.

Adelaide Guerini.  
Conveyance of cer-  
tain real estate to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, for and on behalf of the United States of America, be, and he is hereby, authorized and directed to execute to Adelaide Guerini, of Memphis, Tennessee, a quitclaim deed conveying any right, title, and interest of the United States of America in the following described real estate lying and being in the city of Memphis, Shelby County, Tennessee.

Description.

Lot numbered 20, block 5, Horn Brothers Galloway Park subdivision, as shown on plat in Plat Book 6, page 91, of the registers' office, Shelby County, Tennessee: Beginning at a point in the north line of North Parkway three hundred and thirteen feet west of the west line of Ayers Street; thence westwardly with the north line of North Parkway fifty feet; thence northwardly, parallel with Ayers Street, one hundred and forty-four feet to an alley; thence eastwardly with south line of said alley fifty feet; thence southwardly one hundred and forty-four feet to the beginning point. Said property consists of a house and lot located at 872 North Parkway, Memphis, Shelby County, Tennessee, and is the same property conveyed to the United States of America by Arthur Rogers, United States marshal, by instrument dated April 29, 1933, and of record in Book 738, page 421, in the office of the register of Shelby County, Tennessee.

Satisfaction of judg-  
ment against, as  
surety.

SEC. 2. That the clerk of the United States District Court for the Western District of Tennessee, at Memphis, is hereby authorized and directed to satisfy of record the judgment obtained by the United

States of America against Adelaide Guerini, as surety on the forfeited bail bond of W. R. McDade, who was charged with violation of the National Prohibition Act and who failed to appear as required by law but against whom such charge was dismissed on May 7, 1925, for want of sufficient evidence.

Approved, August 14, 1937.

[CHAPTER 638]

AN ACT

For the relief of Dorothy Krick, Ernest Krick, and the estate of James Albert Ferren, deceased.

August 14, 1937  
[H. R. 1241]  
[Private, No. 284]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Dorothy Krick, of Galice, Oregon, the sum of \$8,399.50; to Ernest Krick, of Galice, Oregon, the sum of \$1,743; and to May Elizabeth Ferren, administratrix of the estate of James Albert Ferren, deceased, late of Galice, Oregon, the sum of \$5,250; in all, \$15,392.50, in full settlement of their claims against the United States for damages as a result of personal injuries sustained by Dorothy and Ernest Krick, and the death of James Albert Ferren, and for property damage, when the automobile in which they were riding was struck by a truck operated in connection with the Civilian Conservation Corps, on December 9, 1933, on the Merlin-Almeda Market Road, near Grants Pass, Josephine County, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dorothy Krick and  
others.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1937.

[CHAPTER 639]

AN ACT

For the relief of the estate of Marcellino M. Gilmette.

August 14, 1937  
[H. R. 1794]  
[Private, No. 285]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matheus M. Gilmette, duly appointed administrator of the estate of Marcellino M. Gilmette, the sum of \$110, in full settlement of all claims against the Government of the United States, representing wages due to said Marcellino M. Gilmette, who died at sea on April 1, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Marcellino M. Gilmette.  
Payment to estate of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1937.

## [CHAPTER 640]

## AN ACT

For the relief of J. Roy Workman, Adelaide W. Workman, and J. Roy Workman, Junior, a minor.

August 14, 1937

[H. R. 1869]

[Private, No. 286]

J. Roy Workman  
and others.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Roy Workman, of Clinton, South Carolina, the sum of \$1,000; to Adelaide W. Workman, of the same city, the sum of \$1,000; and to the legal guardian of J. Roy Workman, Junior, of the same city, the sum of \$1,500. Said sums to be in full settlement of all claims against the United States for expenses incurred and injuries received when the car in which they were riding was struck by a truck in the use of the Works Progress Administration on December 4, 1935, near Clinton, South Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

## [CHAPTER 641]

## AN ACT

For the relief of Vincent Chicco.

August 14, 1937

[H. R. 3217]

[Private, No. 287]

Vincent Chicco.  
Release of liability  
as surety on bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Vincent Chicco, Charleston, South Carolina, is hereby relieved of all liability as surety on the bond in the sum of \$5,000, filed in the United States District Court for the Eastern District of South Carolina, for the appearance of one Morris Grossman for trial on a charge of conspiracy to violate the National Prohibition Act.

Approved, August 14, 1937.

## [CHAPTER 642]

## AN ACT

For the relief of J. H. Knott.

August 14, 1937

[H. R. 3396]

[Private, No. 288]

J. H. Knott.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, to J. H. Knott the sum of \$1,000 in full and complete settlement of all claims against the United States as damages for personal injuries suffered when he was struck by a Navy truck at the corner of Main and Market Streets in the city of Dallas, Texas, on February 2, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

## [CHAPTER 643]

## AN ACT

For the relief of George O. Claypool.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the claim of George O. Claypool, of Chillicothe, Ohio, on account of disability due to tuberculosis alleged to have been contracted by reason of exposure to patients while on duty during his employment, in the service of the United States, at the Veterans' Administration facility, Chillicothe, Ohio, between April 1925 and March 1926: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That claim hereunder shall be filed within six months after the enactment of this Act.

Approved, August 14, 1937.

August 14, 1937  
[H. R. 3503]  
[Private, No. 289]

George O. Claypool.  
Provisions of Em-  
ployees' Compensa-  
tion Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-  
770.

*Proviso.*  
No prior benefits.

Time for filing claim.

## [CHAPTER 644]

## AN ACT

For the relief of Ludwig Bahnweg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ludwig Bahnweg, of New York City, the sum of \$500, in full satisfaction of his claim against the United States for the value of a Liberty bond in that amount deposited by him to secure the appearance of an alien, Elizabeth Wilhelm, on June 3, 1931, and forfeited to the United States Treasury March 3, 1932, after her failure to appear, although said alien had been apprehended with the efforts of Ludwig Bahnweg, and deported on February 26, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

August 14, 1937  
[H. R. 5144]  
[Private, No. 290]

Ludwig Bahnweg.  
Payment to.

*Proviso.*  
Limitation on attor-  
neys, etc., fees.

Penalty for viola-  
tion.

## [CHAPTER 645]

## AN ACT

For the relief of Ethel B. Lord, a minor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ethel B. Lord, a minor, of Bibb County, Georgia, the sum of \$5,000 in full settlement of all claims against the United States for personal injuries sustained by her as the result of the explosion of an old hand grenade at the former site of Camp Wheeler, near Macon, Georgia, on November 23, 1935, part of which site is now occupied as the home

August 14, 1937  
[H. R. 5168]  
[Private, No. 291]

Ethel B. Lord.  
Payment to guard-  
ian of.



*Proviso.*  
Limitation on attorney's, etc., fees.

of her family: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

Penalty for violation.

# [CHAPTER 646]

## AN ACT

For the relief of Carson Bradford.

August 14, 1937  
[H. R. 5229]  
[Private, No. 292]

Carson Bradford.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carson Bradford, of Miami, Dade County, Florida, the sum of \$2,500, in full settlement of all claims against the United States for damage done to his house and property, located at Lake Weir, Marion County, Florida, on January 15, 1935, by agents of the Federal Bureau of Investigation of the Department of Justice in apprehending certain fugitives from justice: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

# [CHAPTER 647]

## AN ACT

For the relief of Cecile C. Cameron.

August 14, 1937  
[H. R. 7387]  
[Private, No. 293]

Cecile C. Cameron.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cecile C. Cameron, widow of Alfred D. Cameron, late an American Foreign Service officer assigned as American consul at London, England, the sum of \$4,400, equal to one year's salary of her deceased husband, who died in illness incurred while at his post of duty in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Approved, August 14, 1937.

Appropriation authorized.  
*Ante*, p. 771.

## [CHAPTER 668]

## AN ACT

For the relief of Troup Miller and Harvey D. Higley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Troup Miller, colonel Eleventh Regiment United States Cavalry, and Harvey D. Higley, lieutenant colonel Seventy-sixth Regiment United States Field Artillery, the sum of \$5,257.50, in full satisfaction of their claims against the United States for money paid from their personal funds to make good the loss of money belonging to trainees of the citizens' military training camp at the Presidio of Monterey, California, which was unavoidably lost or stolen when it had been placed in the welfare office of such camp for safekeeping in July 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

August 16, 1937  
[S. 1160]  
[Private, No. 294]

Troup Miller and  
Harvey D. Higley.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 669]

## AN ACT

For the relief of Willard Collins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Willard Collins, of Tipler, Wisconsin, the sum of \$7,500 in full and final settlement of any and all claims against the Government for the death of his wife and minor child, and personal injuries to himself, suffered on November 23, 1936, when the automobile in which they were riding was struck by a truck belonging to the Department of Agriculture, Forest Service, which was being operated by Joseph Yusba, a member of the Civilian Conservation Corps, Camp Rainbow, Florence County, Wisconsin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

August 16, 1937  
[S. 1401]  
[Private, No. 295]

Willard Collins.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 670]

## AN ACT

For the relief of Marjorie L. Baxter.

August 16, 1937  
[H. R. 420]

[Private, No. 296]

Marjorie L. Baxter.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Marjorie L. Baxter, of Port Chester, New York, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Marjorie L. Baxter on account of permanent injuries received when the automobile in which she was riding was struck on the Bronx River Parkway near Crestwood, New York, April 24, 1934, by a motor vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

## [CHAPTER 671]

## AN ACT

August 16, 1937  
[H. R. 851]

[Private, No. 297]

A. F. Amory.  
Claim of, submitted to district court.

Jurisdiction.

*Proviso.*  
Notice to Attorney General.

Commencement of suit.

Conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of A. F. Amory.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of A. F. Amory, of Hampton, Virginia, against the United States for damages alleged to have been caused on the early morning of August 6, 1929, by a collision in the harbor of Cape May, New Jersey, between a submerged wreck alleged to have been then in custody of the United States Coast Guard, at Cape May, New Jersey, and the power boat Mocking Bird, owned and operated by the said A. F. Amory, as a result whereof it is alleged that the said power boat Mocking Bird sustained substantial damage, and the same may be sued for by the said A. F. Amory in the District Court of the United States for the District of New Jersey, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said A. F. Amory upon the same principles and measures of liability as in like cases between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided for by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend said United States: *Provided further*, That said suit shall be brought and commenced within four months from the date of the passage of this Act.

Approved, August 16, 1937.

## [CHAPTER 672]

## AN ACT

For the relief of Guido Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin.

August 16, 1937  
[H. R. 886]  
[Private, No. 298]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guido Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin the sum of \$3,500, in full settlement of all claims against the United States for the refund of the amount of the bond deposited with the United States Immigration Service guaranteeing the presence in court of Virginia Nasato, Melchior Miotto, Silvio Polin, Augustino Del Bianco, Daniel Biscaro, Augustin Taveron, and Emilio Miotto, and later forfeited because of failure of the bondsmen to produce the aliens in court for deportation proceedings: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guido Biscaro and others.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

## [CHAPTER 673]

## AN ACT

For the relief of Dexter P. Cooper.

August 16, 1937  
[H. R. 1095]  
[Private, No. 299]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dexter P. Cooper, the sum of \$792, in full settlement of his claim against the United States for expenses incurred in the operation of a personally owned motorboat during the period from December 1, 1934, to June 30, 1935, while employed by the Public Works Administration as a consulting engineer in connection with the Passamaquoddy power project, Washington County, Maine: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dexter P. Cooper.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 674]

AN ACT

August 16, 1937  
[H. R. 1207]  
[Private, No. 300]

Conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal.

Marshall Campbell  
and Raymond O'Neal.  
Claims of estates of,  
submitted to district  
court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of the estate of Marshall Campbell, and the estate of Raymond O'Neal, of Greene County, Georgia, for damages resulting from the deaths of said Marshall Campbell and Raymond O'Neal by reason of an automobile collision involving a Civilian Conservation Corps truck on August 30, 1935, on the highway between Greensboro and Union Point, Georgia: *Provided*, That the judgment, if any, shall not exceed, in the case of the estate of Marshall Campbell, \$5,000; and in the case of the estate of Raymond O'Neal, \$5,000.

*Proviso.*  
Judgment.

Commencement of  
suit.

Proceedings, etc.

SEC. 2. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

28 U. S. C. § 41 (20).

Approved, August 16, 1937.

[CHAPTER 675]

AN ACT

August 16, 1937  
[H. R. 1915]  
[Private, No. 301]

For the relief of Charles Tabit.

Charles Tabit.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Charles Tabit, of Montgomery, West Virginia, the sum of \$3,204 in full satisfaction of all his claims against the United States for damages for personal injuries received by him on July 13, 1934, when struck by a Government truck operated by an enrollee of the Civilian Conservation Corps, Company 521: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's,  
etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 676]

AN ACT

August 16, 1937  
[H. R. 1734]  
[Private, No. 302]

For the relief of Sam Romack.

Sam Romack.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Romack, of Seward, Alaska, the sum of \$125, in full settle-

ment of all claims against the Government of the United States for the loss of his gas boat T-4389, when sunk by the United States Coast Guard patrol boat Morris, on or about September 26, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

#### [CHAPTER 677]

##### AN ACT

For the relief of A. H. Sphar.

August 16, 1937  
[H. R. 2488]  
[Private, No. 303]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$100 to A. H. Sphar, of Cortez, Colorado, as reimbursement for the loss of a bull which died from poison on September 27, 1925, while loaned to and in the possession of the Government at the Ute Mountain Indian School at Towaoc, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

A. H. Sphar.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

#### [CHAPTER 678]

##### AN ACT

For the relief of John N. Brooks.

August 16, 1937  
[H. R. 2740]  
[Private, No. 304]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of \$2,500 to John N. Brooks, of Cincinnati, Ohio, which sum was paid by him April 14, 1925, to the United States by reason of the forfeiture of the bail bond of Frank Overturf, the case against whom was subsequently dismissed because of his absence for seven years: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act

John N. Brooks.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 679]

AN ACT

For the relief of Jack C. Allen.

August 16, 1937  
[H. R. 3750]

[Private, No. 305]

Jack C. Allen.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Jack C. Allen, the sum of \$286, in full satisfaction of his claim against the United States for loss of personal possessions in a fire at Fort McPherson, Georgia, in December 1929, said Allen being at the time this loss was sustained a member of the enlisted personnel of the United States Army assigned to quarters in the barracks consumed by fire: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 680]

AN ACT

For the relief of the estate of Colonel C. J. Bartlett, United States Army.

August 16, 1937  
[H. R. 3987]

[Private, No. 306]

Col. C. J. Bartlett,  
Army.  
Payment to estate of.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. C. J. Bartlett, of San Francisco, California, administratrix of the estate of Colonel C. J. Bartlett, Medical Corps, United States Army, the sum of \$293. The payment of such sum shall be in full settlement of all claims against the United States for the loss sustained by the said Colonel C. J. Bartlett on account of damage to his personal property incident to its shipment from San Francisco, California, to Fort Slocum, New York, and its reshipment to San Francisco, California, during the year 1934. Such shipment and reshipment were occasioned by the transfer, by order of the Department of War, of the said Colonel C. J. Bartlett from the Presidio of San Francisco to Fort Slocum, New York, and his subsequent return, by order of the Department of War, to his home in San Francisco to await retirement: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall

be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

Penalty for violation.

[CHAPTER 681]

AN ACT

For the relief of William Sperry.

August 16, 1937

[H. R. 4378]

[Private, No. 307]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$4,000, to William Sperry, Newport, Washington, in full settlement of all claims against the United States for damages sustained by the said William Sperry on account of the loss of his son, Clifford Sperry, a minor, who was struck and killed on May 27, 1934, at Newport, Washington, by a Forest Service truck driven by an enrollee of the Civilian Conservation Corps stationed at Silvernite, Montana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act, in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

William Sperry.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 682]

AN ACT

For the relief of Lake Spence.

August 16, 1937

[H. R. 4526]

[Private, No. 308]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lake Spence, of Berwind, West Virginia, the sum of \$5,000 in full settlement of all claims against the United States for damages sustained by the said Lake Spence, on account of permanent personal injuries suffered by him when the automobile which he was driving was struck on October 10, 1936, at Rift, West Virginia, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Lake Spence.  
Payment to.

*Proviso.*  
Limitation on attorney's etc., fees.

Penalty for violation.

Approved, August 16, 1937.



## [CHAPTER 683]

## AN ACT

For the relief of Luther Jennings Workman, a minor.

August 16, 1937

[H. R. 4527]

[Private, No. 309]

Luther Jennings  
Workman.  
Payment to guardian  
of.

*Proviso.*  
Limitation on attorney's,  
etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to the legal guardian of Luther Jennings Workman, a minor, of Red Jacket, West Virginia, in full settlement of all claims against the Government of the United States for personal injuries suffered by him on January 11, 1936, when he was burned by the explosion of gasoline in a fire left by employees of the Works Progress Administration at Red Jacket, West Virginia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

## [CHAPTER 684]

## AN ACT

For the relief of D. E. Sweinhart.

August 16, 1937

[H. R. 4775]

[Private, No. 310]

D. E. Sweinhart.  
Payment to.

*Proviso.*  
Limitation on attorney's,  
etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay to D. E. Sweinhart, of San Antonio, Texas, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the United States for the death of his son, Edward Sweinhart, a minor, who was killed at San Antonio, Texas, on October 14, 1917, by the negligent driving of a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

## [CHAPTER 685]

## AN ACT

For the relief of Thomas H. McLain.

August 16, 1937

[H. R. 5708]

[Private, No. 311]

Thomas H. McLain.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas H. McLain, of Philadelphia, Pennsylvania, the sum of \$2,000, in full satisfaction of his claim against the United States for personal injuries sustained when he was struck by a United States mail

truck near the intersection of Thirty-sixth and Market Streets, Philadelphia, Pennsylvania, on November 27, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 686]

AN ACT

For the relief of William Sullivan.

August 16, 1937  
[H. R. 6010]  
[Private, No. 312]

William Sullivan.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Sullivan, of West Islip, Long Island, New York, the sum of \$3,500 in full settlement of all claims against the Government of the United States for personal injuries received by him on April 23, 1936, resulting from being struck by a bullet from a revolver in the hands of a postal employee at the Babylon, Long Island, New York, post office, said injuries to William Sullivan resulting from the accidental discharge of said firearm while being cleaned as part of the routine of official business by said postal employee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 693]

AN ACT

For the relief of the Farmers' Storage and Fertilizer Company, of Aiken, South Carolina.

August 17, 1937  
[H. R. 1770]  
[Private, No. 313]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the statutes of limitation so far as they bar the linters' claim of the Farmers' Storage and Fertilizer Company, of Aiken, South Carolina, now owned by Wesley Johnson, against the United States of America, arising out of contract had with the Government, expiring January 1, 19<sup>1</sup>, be, and the same are hereby, waived and revoked.

SEC. 2. That said claimant is hereby authorized to file and have said claim adjudicated by the Court of Claims of the United States: *Provided*, That said claimant shall commence said action within one year after the date of the enactment of this Act.

Farmers' Storage and Fertilizer Company, linters' claim.  
Statutes of limitation waived.

Adjudication by Court of Claims.

*Proviso.*  
Commencement of action.

Approved, August 17, 1937.

<sup>1</sup> So in original.

## [CHAPTER 694]

## AN ACT

For the relief of Clifford L. Bonn.

August 17, 1937

[H. R. 3192]

[Private, No. 314]

Clifford L. Bonn.  
Payment to.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford L. Bonn, of Traverse City, Michigan, the sum of \$4,000 in full settlement of all claims against the United States for damages to him caused by injuries sustained when he slipped and fell on the ice-covered steps of the Traverse City, Michigan, post office on November 30, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 17, 1937.

## [CHAPTER 707]

## AN ACT

For the relief of James O. Cook.

August 19, 1937

[S. 854]

[Private, No. 315]

James O. Cook.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

Time for filing claim.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended and supplemented, are hereby waived in the case of James O. Cook, of Valier, Montana, formerly employed by the Civil Works Administration on the South Marias Hill Project, north of Valier, Montana; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within six months after the date of the enactment of this Act, by said James O. Cook for compensation under the provisions of such Act of September 7, 1916, as amended and supplemented, for disability due to injuries received by him in the performance of his duties during the time he was so employed.

Approved, August 19, 1937.

## [CHAPTER 708]

## AN ACT

For the relief of Robert Coates.

August 19, 1937

[H. R. 854]

[Private, No. 316]

Robert Coates.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Robert Coates, of Glass, Gloucester County, Virginia, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for tuberculosis alleged to have been contracted as a result of his employment on ships of the

Reserve Fleet Division of the United States Shipping Board Merchant Fleet Corporation during the months of October, November, and December 1921; October and November 1923; and October 1924: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 19, 1937.

*Provisos.*  
Time for filing claim.  
No prior benefits.

[CHAPTER 709]

AN ACT

For the relief of Wayne M. Cotner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Wayne M. Cotner, on account of disability due to loss of any<sup>1</sup> eye, alleged to have been caused by employment in the service of the United States between March 29, 1919, and August 7, 1919: *Provided*, That no benefits shall accrue prior to the approval of this Act: *Provided further*, That claim hereunder shall be filed within six months from the approval of this Act.

Approved, August 19, 1937.

August 19, 1937  
[H. R. 1375]  
[Private, No. 317]

Wayne M. Cotner.  
Disability claim to be considered.  
39 Stat. 746, 747.  
5 U. S. C. §§ 767, 770.

*Provisos.*  
No prior benefits.  
Time for filing claim.

[CHAPTER 710]

AN ACT

For the relief of Ralph Reisler.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ralph Reisler, of New York City, New York, the sum of \$2,500, in full satisfaction of his claim against the United States for the death of his minor son, Ralph Reisler, Junior, who died from injuries sustained when he was struck by a United States mail truck in the Bronx, New York City, on January 21, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

August 19, 1937  
[H. R. 1690]  
[Private, No. 318]

Ralph Reisler.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 711]

AN ACT

For the relief of W. H. Lenneville.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the postal-savings account of W. H. Lenne-

August 19, 1937  
[H. R. 3745]  
[Private, No. 319]

W. H. Lenneville.  
Credit in postal accounts.

<sup>1</sup> So in original.

ville, postmaster at Dickinson, North Dakota, in the sum of \$504.90, on account of the loss of postal savings funds resulting from the failure of the Dakota National Bank of Dickinson, Dickinson, North Dakota, prior to April 1, 1924.

Approved, August 19, 1937.

[CHAPTER 712]

AN ACT

For the relief of Marian Malik.

August 19, 1937

[H. R. 5622]

[Private, No. 320]

Marian Malik.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marian Malik, Minneapolis, Minnesota, the sum of \$2,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by her as the result of being struck and injured by a truck owned by the United States Coast and Geodetic Survey of the Department of Commerce in Minneapolis, Minnesota, on October 23, 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account<sup>1</sup> of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$5,000.

Approved, August 19, 1937.

[CHAPTER 713]

AN ACT

For the relief of Walter G. Anderson.

August 19, 1937

[H. R. 5927]

[Private, No. 321]

Walter G. Anderson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter G. Anderson, of Kenton, Michigan, the sum of \$48.40 in full satisfaction of his claim against the United States for mileage and per diem allowance for appearing as a witness, pursuant to orders, before a board of Army officers at Fort Brady, Civilian Conservation Corps district, Sault Saint Marie, Michigan, on July 21, 22, and 23, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

<sup>1</sup> So in original.

## [CHAPTER 714]

## AN ACT

For the relief of Edith Jordan.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Jordan, of Gatun, Canal Zone, the sum of \$2,500. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from injuries sustained by her on September 16, 1933, while walking across a railroad spur crossing owned or controlled by the Panama Canal, in the city of Gatun, Canal Zone: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

August 19, 1937  
[H. R. 6059]  
[Private, No. 322]

Edith Jordan.  
Payment to.

*Proviso.*  
Limitation on attorney's etc., fees.

Penalty for violation.

## [CHAPTER 715]

## AN ACT

For the relief of Jesse A. LaRue.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse A. LaRue, of Birmingham, Alabama, the sum of \$50 in full satisfaction of his claim against the United States for the value of a typewriter owned by the said Jesse A. LaRue and loaned by him to the Civil Works Administration and which was stolen on January 16, 1934, from a Birmingham (Alabama) project, while in the custody of the Civil Works Administration: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

August 19, 1937  
[H. R. 7172]  
[Private, No. 323]

Jesse A. LaRue.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 722]

## AN ACT

For the relief of the Rowesville Oil Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the statutes of limitation so far as they bar the linters claim of the Rowesville Oil Company, now owned by the estate of W. C. Fairey, against the United States of America, arising out of contract had with the Government, expiring July 31, 1919, be, and the same are hereby, waived and revoked.

August 20, 1937  
[H. R. 1767]  
[Private, No. 324]

Rowesville Oil Company.  
Adjustment of claim.

Adjudication by  
Court of Claims.  
*Proviso.*  
Commencement of  
action.

SEC. 2. That said claimant is hereby authorized to file and have said claim adjudicated by the Court of Claims of the United States: *Provided*, That said claimant shall commence said action within one year after the date of the enactment of this bill.

Approved, August 20, 1937.

[CHAPTER 723]

AN ACT

For the relief of the Southern Overall Company.

August 20, 1937  
[H. R. 3960]  
[Private, No. 325]

Southern Overall  
Company.  
Claim of, referred to  
Court of Claims.

*Proviso.*  
Condition.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of the Southern Overall Company, growing out of proxy-signed contract of November 23, 1917, with the Quartermaster Corps for delivery of jumpers and trousers to the Quartermaster Corps during the World War, is hereby referred to the United States Court of Claims with jurisdiction to hear the same to judgment and with instructions to adjudicate the same upon the basis of the fair and reasonable value at the time of delivery of the jumpers and trousers delivered thereunder not to exceed \$1.86 per garment: *Provided*, That no recovery shall be had unless the court further finds that the delay in delivery was due to no fault of the contractor or to unforeseen causes beyond his control.

Approved, August 20, 1937.

[CHAPTER 724]

AN ACT

For the relief of Fred P. Halbert.

August 20, 1937  
[H. R. 827]  
[Private, No. 326]

Fred P. Halbert.  
Land patent to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent conveying all the right, title, and interest of the United States to lot 5, section 16, township 23 north, range 9 west of the Willamette meridian, containing thirty and ninety one-hundredths acres, more or less, according to the Government survey thereof, in Grays Harbor (formerly Chehalis) County, Washington, to Fred P. Halbert.

Approved, August 20, 1937.

[CHAPTER 730]

AN ACT

For the relief of Mary Lucia Haven.

August 21, 1937  
[H. R. 7430]  
[Private, No. 327]

Mary Lucia Haven.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Lucia Haven, widow of Joseph Emerson Haven, late American consul at Florence, Italy, the sum of \$7,900, equal to one year's salary of her deceased husband.

Approved, August 21, 1937.

## [CHAPTER 734]

## AN ACT

For the relief of Stella Van Dewerker.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$60 to Stella Van Dewerker of Camp Crook, South Dakota, in full satisfaction of her claim against the United States for damages arising out of the loss by her of a horse which died, in November 1934, while being worked, under contract with the owner, by employees of the Forest Service, United States Department of Agriculture, in connection with emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 21, 1937.

August 21, 1937  
[H. R. 4489]  
[Private, No. 328]

Stella Van Dewerker.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 740]

## AN ACT

To authorize the award of a decoration for distinguished service to Acors Rathbun Thompson.

August 23, 1937  
[S. 1918]  
[Private, No. 329]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to cause the recommendation for the award of a decoration to Acors Rathbun Thompson, formerly private, Sixty-sixth Company, First Battalion, Fifth Marines, Second Division, American Expeditionary Forces, who, on September 14, 1918, at Jaulny, in the Saint Mihiel sector, France, rescued and carried a wounded comrade through heavy enemy fire to a first-aid station, and who further distinguished himself as a member of a small group, October 4 and 5, 1918, at Blanc Mont Ridge, France, though wounded and constantly exposed to constant enemy machine-gun fire from three sides, was cut off from his main body, repulsed five counter attacks by the enemy, which resulted in the capture of four German officers, two hundred and sixty-eight men, together with eighty-five machine guns in position, some mortars, and a heavy fieldpiece, to be considered by the proper boards or authorities, and such award made to said Thompson as his said conduct merits.

Approved, August 23, 1937.

Acors Rathbun Thompson.  
Award of decoration for distinguished service, authorized.

## [CHAPTER 750]

## AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February 1937.

August 24, 1937  
[S. 2647]  
[Private, No. 330]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$667.80, as may be required by the Secretary of the Navy to reimburse, under

Ohio Valley flood, 1937.  
Reimbursement of certain Naval enlisted men for property losses.



*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

such regulations as he may prescribe, enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February, 1937: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 24, 1937.

#### [CHAPTER 751]

#### AN ACT

For the relief of Rose McGirr.

August 24, 1937

[H. R. 3426]

[Private, No. 331]

Rose McGirr.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose McGirr, of New York City, the sum of \$2,500. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Rose McGirr, when she was struck and injured by a motor vehicle of the Prohibition Bureau of the Treasury Department in New York City on May 16, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 24, 1937.

#### [CHAPTER 782]

#### AN ACT

For the relief of Lucille McClure.

August 25, 1937

[S. 707]

[Private, No. 332]

Lucille McClure.  
Claim to be considered.

39 Stat. 742.  
5 U. S. C. §§ 751-796.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Lucille McClure, of Spokane, Washington, widow of a former deputy administrator of prohibition, H. S. McClure, whose death occurred on January 15, 1929, allegedly as a result of injuries sustained by him while in the performance of his duties, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for

other purposes", approved September 7, 1916, as amended, except that the limitations of time in sections 15 to 20 thereof, both inclusive, are hereby waived: *Provided*, That claim hereunder shall be filed within six months from the date of the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

Time limitation  
waived.

*Provisos.*  
Time for filing  
claim.  
No prior benefits.

[CHAPTER 783]

AN ACT

For the relief of F. P. Delahanty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Lieutenant Commander F. P. Delahanty, Supply Corps, United States Navy, with the sum \$820.80, representing the amount of payments made by him in good faith to Lieutenant Commander C. K. Osborne, United States Navy, for rental and subsistence allowance of his dependent mother during the period July 1 to December 31, 1923.

Approved, August 25, 1937.

August 25, 1937  
[S. 772]

[Private, No. 333]

Lt. Comdr. F. P.  
Delahanty.  
Credit in accounts.

[CHAPTER 784]

AN ACT

For the relief of Mrs. Charles T. Warner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Mrs. Charles T. Warner, of Tulsa, Oklahoma, widow of Charles T. Warner, who sustained injuries in December 1932 in the performance of his duties as a deputy United States marshal from which he is alleged to have died in May 1935, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the limitations of time in sections 15 to 20 thereof, both inclusive, are hereby waived: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

August 25, 1937  
[S. 1637]

[Private, No. 334]

Mrs. Charles T.  
Warner.  
Claim of, to be  
considered.

39 Stat. 742.  
5 U. S. C. §§ 751-  
796.

*Provisos.*  
Time for filing  
claim.  
No prior benefits.

[CHAPTER 785]

AN ACT

For the relief of Ruth Gaskins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,396.55 to Ruth Gaskins, of Monogah, West Virginia, in full settlement of all her claims against the United States for damages resulting from personal injuries received by her on the night of November 27, 1935, when she fell into an open, unguarded, unmarked, and unlighted hole in the sidewalk, such hole having been caused by

August 25, 1937  
[S. 1764]

[Private, No. 335]

Ruth Gaskins.  
Payment to.

*Proviso.*  
Limitation on  
attorney's, etc., fees.

Penalty for viola-  
tion.

the failure of Works Progress Administration employees properly to repair an opening they had made in said sidewalk: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

#### [CHAPTER 786]

#### AN ACT

For the relief of Carl E. Padgett.

August 25, 1937  
[S. 1810]

[Private, No. 336]

Carl E. Padgett.  
Provisions of Em-  
ployees' Compensation  
Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

Time for filing  
claim.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Carl E. Padgett, of Kansas City, Missouri, formerly employed as a ward attendant, United States Veterans' Hospital, Kansas City, Missouri, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within six months after the date of enactment of this Act, for compensation for disability alleged to have resulted from tuberculosis contracted by him between August 22, 1930, and May 22, 1931, while in the performance of his duties as such employee; but compensation, if any, shall be paid from and after the date of enactment of this Act.

Approved, August 25, 1937.

#### [CHAPTER 787]

#### AN ACT

For the relief of Mrs. Cliff Snider and W. M. Jordan.

August 25, 1937  
[S. 1865]

[Private, No. 337]

Mrs. Cliff Snider  
and W. M. Jordan.  
Payment to.

*Proviso.*  
Limitation on  
attorney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Cliff Snider, of Smithville, Georgia, the sum of \$10,000, and to W. M. Jordan, of Smithville, Georgia, the sum of \$3,225, in full satisfaction of all claims against the United States for personal injuries sustained by them, and the death of Cliff Snider, husband of Mrs. Cliff Snider, sustained when the automobile in which they were riding was struck by a Government truck operated in connection with the Civilian Conservation Corps, on the Americus-Andersonville Highway, about eight miles north of Americus, Georgia, on October 25, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

## [CHAPTER 788]

## AN ACT

For the relief of Sue F. Melton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Sue F. Melton on account of the death of her daughter, Mattie Ruth Melton, on March 10, 1934, as a result of personal injuries sustained while in the performance of her official duties as district home-demonstration agent of the United States Department of Agriculture, and to determine said claim upon its merits under the provisions of the said Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

August 25, 1937

[S. 2152]

[Private, No. 338]

Sue F. Melton.  
Provisions of Em-  
ployees' Compensation  
Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-  
770.

*Proviso.*  
No prior benefits.

## [CHAPTER 789]

## AN ACT

For the relief of W. G. Adams.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to W. G. Adams the sum of \$500 in full satisfaction for his claim against the United States for damages arising out of personal injuries suffered when he was struck by a Civilian Conservation Corps truck, near Flagstaff, Arizona, on September 8, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937

[S. 2241]

[Private, No. 339]

W. G. Adams.  
Payment to.

*Proviso.*  
Limitation on  
attorney's, etc., fees.

Penalty for viola-  
tion.

## [CHAPTER 790]

## AN ACT

For the relief of Park B. Brandon and Robert G. Teer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Park B. Brandon, of Braman, Oklahoma, the sum of \$3,500, and to Robert G. Teer, of Braman, Oklahoma, the sum of \$248.49, in full

August 25, 1937

[S. 2262]

[Private, No. 340]

Park B. Brandon  
and Robert G. Teer.  
Payment to.

settlement of any and all claims against the Government for injuries sustained as a result of an accident involving a Government truck operated in connection with the Civilian Conservation Corps at Blackwell, Oklahoma, on November 2, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 791]

AN ACT

For the relief of Robert L. Summers.

August 25, 1937  
[S. 2317]  
[Private, No. 341]

Robert L. Summers.  
Reenlistment in the  
Army.  
R. S. § 1118.  
10 U. S. C. § 622.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of section 1118, Revised Statutes, the Secretary of War is hereby authorized to reenlist in the United States Army Robert L. Summers, Medical Department, Fort Sill, Oklahoma, at the expiration of the said Robert L. Summers' present period of enlistment on November 12, 1937, and on such future dates as the said Robert L. Summers may make application for reenlistment.

Approved, August 25, 1937.

[CHAPTER 792]

AN ACT

For the relief of Leah P. Rice.

August 25, 1937  
[S. 2487]  
[Private, No. 342]

Leah P. Rice.  
Credit in postal  
accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of Leah P. Rice, former postmaster at Harrison, Nebraska, in the amount of \$172.55, representing funds lost in the failure of the First National Bank of Harrison, Nebraska, February 5, 1924.

Approved, August 25, 1937.

[CHAPTER 793]

AN ACT

For the relief of Genevieve E. Daley.

August 25, 1937  
[H. R. 345]  
[Private, No. 343]

Genevieve E. Daley.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Genevieve E. Daley, of Cazenovia, New York, for tuberculosis allegedly incurred by her while a student nurse of the Army School of Nursing, Walter Reed General Hospital, Washington, District of Columbia, in August 1931, and to determine said claim upon

its merits: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That the claim hereunder shall be filed within six months after the enactment of this Act.

Approved, August 25, 1937.

*Proviso.*  
No prior benefits.  
Time for filing  
claim.

[CHAPTER 794]

AN ACT

For the relief of Earl Hill.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Earl Hill, of Clarksville, Arkansas, the sum of \$3,500, in full satisfaction of his claim against the United States for permanent personal injury received when he was struck by a Civilian Conservation Corps truck as it passed the truck in which he was a passenger on State Highway Numbered 7, between Clarksville and Cowell, Arkansas, August 4, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937  
[H. R. 449]  
[Private, No. 344]

Earl Hill.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 795]

AN ACT

For the relief of Mada Landtiser.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mada Landtiser, of Malcom, Poweshiek County, Iowa, the sum of \$2,000, in full settlement of all claims against the United States for personal injuries sustained by her when the vehicle in which she was a passenger was struck by an Emergency Conservation Work truck of the Department of Agriculture, on September 15, 1934, near Traer, Iowa: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937  
[H. R. 595]  
[Private, No. 345]

Mada Landtiser.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 796]

AN ACT

For the relief of Paul and A. B. Johnson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to

August 25, 1937  
[H. R. 2192]  
[Private, No. 346]

Paul and A. B.  
Johnson.  
Payment to.

*Provisos.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Condition.

the legal guardian of Paul Johnson, a minor, of Hampton, Tennessee, the sum of \$750, and to A. B. Johnson, of Hampton, Tennessee, his father, the sum of \$250, in full settlement of all claims against the United States, as a result of personal injuries sustained by Paul Johnson when he was struck by a Forest Service truck, driven by said Fred A. Baker, an employee of the Civilian Conservation Corps, on State Highway Numbered 67, near Hampton, Tennessee, on September 25, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided further*, That no moneys appropriated herein shall be paid until any judgment obtained by the claimants herein against any Government officer or employee as a result of the accident described herein shall have been satisfied of record.

Approved, August 25, 1937.

#### [CHAPTER 797]

#### AN ACT

August 25, 1937

[H. R. 2657]

[Private, No. 347]

Authorizing the Secretary of the Navy to advance on the retired list of the Navy David J. Mahoney, David Bolger, Cleve B. Farran, James Johnson, and Hans Terkelsen, retired, to chief boilermaker, retired.

David J. Mahoney and others.  
Advancement on retired list, Navy.

*Proviso.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is hereby authorized to advance on the retired list of the Navy David J. Mahoney, David Bolger, Cleve B. Farran, James Johnson, and Hans Terkelsen, boilermakers, retired, to the rating of chief boilermaker (permanent appointment), retired, with pay and allowances of that rating: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, August 25, 1937.

#### [CHAPTER 798]

#### AN ACT

For the relief of Lamar Snipes and Luther S. Snipes.

August 25, 1937

[H. R. 2994]

[Private, No. 348]

Lamar Snipes and Luther S. Snipes.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lamar Snipes, of Tupelo, Mississippi, the sum of \$300, and to Luther S. Snipes, of Tupelo, Mississippi, the sum of \$200, in full settlement of all claims against the United States for personal injuries sustained by Lamar Snipes, and his expenses and losses incident thereto, when the truck he was driving was struck, on September 26, 1935, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

## [CHAPTER 799]

## AN ACT

Conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of the Delaware Bay Shipbuilding Company, Incorporated.

August 25, 1937  
[H. R. 3276]  
[Private, No. 349]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction is hereby conferred upon the United States District Court for the District of New Jersey to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of the Delaware Bay Shipbuilding Company, Incorporated, of Leesburg, New Jersey, for damages to its marine railway in the Maurice River, at Leesburg, New Jersey, allegedly by reason of being struck by United States Coast Guard patrol boat CG-227, on November 6, 1931: *Provided*, That the United States shall be permitted to file, and the said court shall hear and determine, any counterclaim or set-off as the result of alleged damage to United States Coast Guard patrol boat CG-227 by reason of striking said marine railway of the Delaware Bay Shipbuilding Company, Incorporated.

Delaware Bay Shipbuilding Company, Inc.  
Claim of, referred to district court.

*Proviso.*  
Counterclaim.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Institution of suit.

Proceedings, etc.

28 U. S. C. § 41 (20).

Approved, August 25, 1937.

## [CHAPTER 800]

## AN ACT

For the relief of Hans Everson.

August 25, 1937  
[H. R. 3551]  
[Private, No. 350]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$3,500 to Hans Everson, Phillips, Wisconsin, in full settlement of all claims against the Government of the United States for personal injuries suffered by him on February 12, 1935, when the sleigh on which he was riding was struck by a United States Civilian Conservation Corps truck, on County Highway E, Price County, Wisconsin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Hans Everson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

## [CHAPTER 801]

## AN ACT

For the relief of Norman E. Sherman and Banks W. Smith.

August 25, 1937  
[H. R. 4506]  
[Private, No. 351]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Norman E. Sherman and Banks W. Smith.  
Payment to.



Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, at Los Angeles Municipal Airport, Inglewood, California, the sum of \$3,500, in full settlement of all claims against the United States on account of damages sustained by Waco Cabin Airplane NC12456 on the 5th day of September 1936 caused by collision with Navy Plane F4B4, numbered 9018, at Los Angeles Municipal Airport, Inglewood, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 802]

AN ACT

For the relief of Arthur T. Worley.

August 25, 1937  
[H. R. 4583]  
[Private, No. 352]

Arthur T. Worley.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

Time for filing notice, etc.

*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Arthur T. Worley, of Saint Petersburg, Florida, who is alleged to have sustained an injury on December 15, 1933, while employed at the Veterans' Administration Facility at Bay Pines, Florida, which injury is alleged to have resulted in continuing physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months after the enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

[CHAPTER 803]

AN ACT

For the relief of Henry Clay Gibson.

August 25, 1937  
[H. R. 4622]  
[Private, No. 353]

Henry Clay Gibson.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry Clay Gibson, of Delhi, Louisiana, the sum of \$186.25, in full satisfaction of his claim against the United States for costs wrongfully assessed against him as the result of an appeal taken by the United States from a judgment of the United States District Court for the Western District of Louisiana in favor of said Henry Clay Gibson, which appeal was later withdrawn by the United States for lack of merit: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any

contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

Penalty for violation.

[CHAPTER 804]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed during the hurricane in Samoa on January 15, 1931.

August 25, 1937

[H. R. 4688]

[Private, No. 354]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$440.15, as may be required by the Secretary of the Navy to reimburse, after claimants shall have filed itemized statements showing actual damages sustained, by proper appraisal, and under such regulations as he may prescribe, enlisted men or former enlisted men of the Navy, for the value of personal effects lost, damaged, or destroyed as a result of a hurricane which struck Ofu and Ta'u, Samoa, on January 15, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.  
Payment of private property losses, Samoa hurricane.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 805]

AN ACT

To provide an additional sum for the payment of claims under the Act entitled "An Act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931", approved January 21, 1936 (49 Stat. 2212).

August 25, 1937

[H. R. 4689]

[Private, No. 355]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,144.35, as may be required by the Secretary of the Navy to reimburse, after claimants shall have filed itemized statements showing actual damages sustained by proper appraisal, and under such regulations as he has or may prescribe pursuant to the provisions of the Act approved January 21, 1936 (49 Stat. 2212), Private Law Numbered 373, Seventy-fourth Congress, the persons hereafter named, in sums not exceeding the amounts set forth, for losses of and damages to reasonable and necessary personal property resulting from the earthquake which occurred at Managua, Nicaragua, on March 31, 1931: Mrs. Alice V. Baske, widow of the late Lieutenant Commander Hugo F. A. Baske, Medical Corps, United States Navy,

Navy and Marine Corps.  
Reimbursement of designated persons for personal property losses, Nicaragua earthquake, 1931.

49 Stat. 2212.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

\$2,573; Radio Electrician Mack C. Veltman, United States Navy, \$42.75; Harry Marion Mayfield, Chief Pharmacist's Mate, United States Navy, \$850; Captain Charles L. Fike, United States Marine Corps, \$528.60; in all, \$3,144.35: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 806]

AN ACT

For the relief of Paul H. Norboe.

August 25, 1937

[H. R. 4875]

[Private, No. 356]

Paul H. Norboe.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul H. Norboe, of San Rafael, California, the sum of \$2,500 in full satisfaction of his claim against the United States for an award to him by the United States District Court for the Northern District of California as 15 per centum of the amount recovered from the forfeiture of bail bonds in the case of the United States of America versus Mon Kee Lee, Lim Bok Young, Liu Sang, and Liung Sui Chun in the United States District Court for the Northern District of California, for original information furnished by him on November 9, 1934, to customs officers concerning a violation of the customs laws which resulted in the seizure of two pounds of morphine and the conviction of the above-named defendants: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 807]

AN ACT

For the relief of Charlotte Sweeney, a minor, Howard Sweeney, a minor, William Hintz, and Martha Hintz.

August 25, 1937

[H. R. 4936]

[Private, No. 357]

Charlotte Sweeney  
and others.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Charlotte Sweeney, a minor, of Baltimore, Maryland, the sum of \$750; to the legal guardian of Howard Sweeney, a minor, of Baltimore, Maryland, the sum of \$750; to William Hintz, of Baltimore, Maryland, the sum of \$1,675; and to Martha Hintz, of

Baltimore, Maryland, the sum of \$1,500; in all, \$4,675, in full settlement of their claims against the United States for personal injuries and property damage sustained by them as a result of a collision between the car in which they were riding, belonging to William Hintz, and a Coast Guard truck, said collision occurring on July 16, 1936, at Curtis Bay, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 808]

AN ACT

For the relief of Frank Lee Borney.

August 25, 1937

[H. R. 5112]

[Private, No. 358]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Frank Lee Borney, in full settlement of all claims for damages against the Government of the United States for injuries sustained by the said Frank Lee Borney by reason of the explosion of a dynamite cap negligently left by Civil Works Administration workers where they were building a road near Red Oak, Texas, on or about February 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank Lee Borney.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 809]

AN ACT

For the relief of Anne E. Felix.

August 25, 1937

[H. R. 5495]

[Private, No. 359]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anne E. Felix, of Pittsburgh, Pennsylvania, the sum of \$2,000 in full satisfaction of her claim against the United States for expenses incurred as contestant in connection with preparation and prosecution of the election-contest case of Anne E. Felix versus Michael J. Muldowney for the seat from the Thirty-second Congressional District of the State of Pennsylvania in the Seventy-third Congress, as authorized by the Act of March 3, 1879 (U. S. C., title 2, sec. 226), a full and detailed account of such expenses having been properly filed with the clerk of the Committee on Elections Numbered 2, in accordance with

Anne E. Felix.  
Payment of contested-election expenses.

20 Stat. 400.  
2 U. S. C. § 226.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

the provisions of the Act hereinbefore recited: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

#### [CHAPTER 810]

#### AN ACT

For the relief of Carolina Maldonado.

August 25, 1937

[H. R. 5846]

[Private, No. 360]

Carolina Maldonado.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Carolina Maldonado, of Socorro, Texas, the sum of \$3,500, in full satisfaction of her claim against the United States for injuries received while riding in automobile which was struck by Government truck numbered 33799 operated in connection with the Civilian Conservation Corps near Ysleta, Texas, on June 22, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

#### [CHAPTER 811]

#### AN ACT

For the relief of Sadie N. Pike and Edward W. Pike.

August 25, 1937

[H. R. 6155]

[Private, No. 361]

Sadie N. and Edward W. Pike.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765-770.

*Proviso.*  
Claims of dependent minor brothers and sister.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by sundry Acts, including the Act of February 15, 1934, are hereby waived, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Sadie N. Pike and Edward W. Pike, of Greenville, South Carolina, for compensation for the death of their son, Edward G. Pike, resulting from injuries sustained in line of duty as an enrollee of the Civilian Conservation Corps in Company 461, Camp SC P-62, Kingstree, South Carolina, on December 5, 1933: *Provided*, That the United States Employees' Compensation Commission is also hereby authorized to receive and consider claims for compensation by the said Sadie N. Pike and Edward W. Pike on behalf of the dependent minor brothers and sister of Edward G. Pike.

Approved, August 25, 1937.

## [CHAPTER 812]

## AN ACT

For the relief of Helen Niehaus.

August 25, 1937

[H. R. 6316]

[Private, No. 362]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation for "Pay, Subsistence and Transportation, Navy", to Helen Niehaus, of Newport, Kentucky, mother of John Albert Niehaus, late coxswain, United States Navy, who died on October 3, 1930, at the Naval Hospital, Mare Island, California, a sum equal to six months' pay at the rate received by John Albert Niehaus at the time of his death: *Provided*, That Helen Niehaus shall first establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her son, John Albert Niehaus, at the time of his death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting offices of the Government.

Helen Niehaus.  
Navy gratuity pay,  
for death of son.  
*Ante*, p. 104.

*Proviso.*  
Dependence to be  
established.

Approved, August 25, 1937.

## [CHAPTER 813]

## AN ACT

To authorize the cancelation of deportation proceedings in the case of John Grinwood Taylor.

August 25, 1937

[H. R. 6468]

[Private, No. 363]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation issued pursuant to section 14 of the Immigration Act of 1924 (43 Stat. 153, sec. 214) in the case of John Grinwood Taylor, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this Act, John Grinwood Taylor shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

John Grinwood  
Taylor.  
Deportation order  
canceled.

43 Stat. 162.  
8 U. S. C. § 214.

Approved, August 25, 1937.

## [CHAPTER 814]

## AN ACT

For the relief of Ragsdale and Knauss.

August 25, 1937

[H. R. 6996]

[Private, No. 364]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ragsdale and Knauss, a shorthand reporting partnership doing business in Washington, District of Columbia, the sum of \$799, in full satisfaction of its claim against the United States for stenographically reporting and transcribing hearings before a special investigating committee of the Federal Power Commission, the General Accounting Office having disallowed payment thereof on the ground that there was no authority of law under which such payment could be made: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Ragsdale and  
Knauss.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

Approved, August 25, 1937.

## [CHAPTER 835]

## AN ACT

For the relief of Lula G. Sutton and others.

August 26, 1937

[S. 180]

[Private, No. 365]

Lula G. Sutton and  
others.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lula G. Sutton, of Linden, Alabama, the sum of \$2,000; to R. E. Sutton, of Linden, Alabama, the sum of \$500; to Grace Sutton, of Linden, Alabama, the sum of \$500; and to Mary Lou Drinkard, of Linden, Alabama, the sum of \$1,500, in full settlement of all claims of said parties against the Government for personal injuries sustained by them on the 22d day of December 1933, when the car in which they were traveling was struck by Civilian Conservation Corps pick-up truck near Orrville, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

## [CHAPTER 836]

## AN ACT

For the relief of John T. Armstrong.

August 26, 1937

[S. 703]

[Private, No. 366]

John T. Armstrong.  
Provisions of Employees' Compensation Act extended to.  
39 Stat. 746, 747.  
5 U. S. C. §§ 765, 770.

Time for filing claim.

*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions and limitations of sections 15 and 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, if filed within six months after the enactment of this Act, the claim of John T. Armstrong, of Havre de Grace, Maryland, for disability alleged to have been incurred by him during June 1930, while in the employment of the Chemical Warfare Service, Edgewood Arsenal, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That no benefits shall accrue prior to the enactment of this Act.

Approved, August 26, 1937.

## [CHAPTER 837]

## AN ACT

For the relief of John A. Flagg.

August 26, 1937

[S. 869]

[Private, No. 367]

John A. Flagg.  
Military record corrected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons who have served in the military forces of the United States the period spent by John A. Flagg as mess sergeant, Company G, Ninth Regiment Massachusetts Volunteer Infan-

try, from March 25, 1917, to July 25, 1917, shall be included in computing the time spent by said John A. Flagg in active service in the United States Army: *Provided*, That no back pay, pension, bounty, benefit, or other emolument shall be held to have accrued prior to the passage of this Act, except for the period March 25, 1917, to July 25, 1917, inclusive.

Approved, August 26, 1937.

*Proviso.*  
No back pay, etc.

[CHAPTER 838]

AN ACT

For the relief of William A. Devine.

August 26, 1937  
[S. 1548]

[Private, No. 368]

William A. Devine.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Civil Service Commission is authorized and directed to pay, out of the civil-service retirement and disability fund, to William A. Devine, formerly postmaster at Madison, Wisconsin, the sum of \$812.23, in full satisfaction of his claim against the United States for the payment made by him on October 2, 1926, to such fund for the purpose of receiving service credit for the time from August 1, 1920, to June 30, 1926, when, in fact, he was entitled to the maximum benefits of the civil-service retirement laws without making such payment: *Provided*, That no part of the amount refunded in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 839]

AN ACT

For the relief of James A. Lyons.

August 26, 1937  
[S. 1065]

[Private, No. 369]

James A. Lyons.  
Payment of unpaid amount of court judgment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to James A. Lyons, of Roanoke, Virginia, the sum of \$2,000, in full settlement of all claims against the United States for the unpaid amount of a judgment for \$6,000 (\$4,000 of which has been paid by Safety Motor Transit Corporation), entered on January 25, 1936, in the District Court of the United States for the Western District of Virginia, at Roanoke, Virginia, in the case of "James A. Lyons against Thomas Bailey and Safety Motor Transit Corporation", against Thomas Bailey and Safety Motor Transit Corporation, for and on account of injuries sustained by him on the 21st day of June 1934 while a passenger on a bus of the said Safety Motor Transit Corporation when the said bus collided with an automobile driven by Thomas Bailey, investigator, Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, who was engaged in the performance of his official duties as an internal-revenue officer: *Provided*, That the clerk of the United States District Court for the Western District of Virginia is hereby authorized and directed to satisfy, of record, the said judg-

*Proviso.*  
Satisfaction of judgment.



Limitation on attorney's, etc., fees.

Penalty for violation.

ment of James A. Lyons against Thomas Bailey: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 840]

AN ACT

For the relief of Hattie Tolbert.

August 26, 1937

[S. 2154]

[Private, No. 370]

Hattie Tolbert.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Hattie Tolbert, of Pensacola, Florida, the sum of \$2,500 in full satisfaction of her claim against the United States for the death of her mother, Mary Goode, and her sister, Irma Dean, on March 1, 1921, on account of being struck by United States Navy (N-10) seaplane (A-2458) while piloted negligently low on the shore line of Pensacola Bay near Muskogee wharf, Pensacola, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 841]

AN ACT

For the relief of R. F. Lassly.

August 26, 1937

[S. 2476]

[Private, No. 371]

R. F. Lassly.  
Credit in accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of R. F. Lassly, former chief disbursing clerk, Department of the Interior, for the payment of \$30 to D. W. Robinson, Junior, of Columbia, South Carolina, for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Public Works Administration on the application of the town of Summerton, South Carolina, for a loan from the Federal Emergency Administration of Public Works, and for the payment of \$75 to J. M. Cantey, Junior, of Columbia, South Carolina, for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Federal Emergency Administration of Public Works, on the application of the city of Columbia, South Carolina, for a loan from the Federal Emergency Administration of Public Works, which payments were made by vouchers numbered 7127 and 7128, respectively, and disallowed by the Comptroller General of the United States.

Approved, August 26, 1937.

## [CHAPTER 842]

## AN ACT

For the relief of Max D. Ordmann.

August 26, 1937

[S. 2699]

[Private, No. 372]

Max D. Ordmann.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the moneys held in the Treasury of the United States in alien property trust numbered 39868, in the name of "Robert Zahn, deceased, Reichtsenwalt Rietzel, executor and Vogtlandische Maschinen Fabrik", otherwise known as Vogtlandische Maschinen-Fabrik and Alfred Rietzsch, as administrator of Robert Zahn, deceased, the sum of \$6,587.60, together with interest thereon at the rate of 6 per centum per annum from and after September 18, 1934, to Max D. Ordmann, in full settlement of all claims against the United States for legal services rendered to the said Robert Zahn, deceased, Reichtsenwalt Rietzel, executor, and Vogtlandische Maschinen Fabrik, otherwise known as Vogtlandische Maschinen-Fabrik and Alfred Rietzsch, as administrator of Robert Zahn, deceased: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proriso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

## [CHAPTER 843]

## AN ACT

For the relief of Vincent Ford.

August 26, 1937

[S. 2866]

[Private, No. 373]

Vincent Ford.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vincent Ford, second lieutenant, Inactive Reserve, of Alhambra, California, the sum of \$943.67 in full satisfaction of his claim against the United States for a continuation of his pay and allowances as such officer from October 16, 1933, to April 15, 1934, alleged by the War Department to be due him for personal injuries sustained in line of active duty, under the provisions of the Act of April 26, 1928 (45 Stat. 461), claim therefor having been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

45 Stat. 461.  
10 U. S. C. § 451.

*Proriso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

## [CHAPTER 844]

## AN ACT

For the relief of the Derby Oil Company.

August 26, 1937

[H. R. 459]

[Private, No. 374]

Derby Oil Com-  
pany.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Derby Oil Company, Wichita, Kansas, the sum of \$445.20, in full satisfaction of its claim against the United States for furnishing gasoline to the quartermaster, Fort Riley, Kansas, under item 123 (a), contract TPS 9477, dated December 10, 1935, during the period January 1 to March 31, 1936, covering the loss sustained through its clerical error in calculating the freight rate on gasoline shipped from the Derby Oil Company's bulk plant at Wichita, Kansas, to destination: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

## [CHAPTER 845]

## AN ACT

For the relief of Rosolino Zamito and Maria Zamito.

August 26, 1937

[H. R. 518]

[Private, No. 375]

Rosolino Zamito  
and Maria Zamito.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for viola-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Rosolino Zamito and Maria Zamito, of Buffalo, New York, the sum of \$1,000, in full satisfaction of their claims against the United States for the value of two bonds deposited by the National Surety Company, in January 1921, with claimants as indemnitors, to secure the deportation of Francesca and Cologero Incardone, after a decision by immigration officials that they were not entitled to entry in the United States; and forfeited on August 11, 1922, when the said Cologero and Francesca Incardone failed to depart from the United States, although, by subsequent decision of the Labor Department, the said Incardones were entitled to admission in December 1920, when they returned to the United States from a temporary absence abroad: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

## [CHAPTER 846]

## AN ACT

For the relief of Charles E. Names.

August 26, 1937  
[H. R. 1858]

[Private, No. 376]

Charles E. Names.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles E. Names the sum of \$225, in full settlement of all claims against the United States for the loss of an article of mail registered at the Osceola (Iowa) post office on April 29, 1920, which contained certain abstracts of title to lands owned by the said Charles E. Names. The postmaster at such post office was held responsible for the full amount of the loss, but the amount of the judgment recovered against him was inadvertently covered into the general fund of the Treasury as "Fines, penalties, and forfeitures", and the said Charles E. Names has never been reimbursed for the cost of new abstracts of title: *Provided*, That the Comptroller General of the United States is hereby authorized and directed to cancel post office settlement warrant numbered 10581 in favor of Banta and Banta (E. G. Banta, successor), Osceola, Iowa, in the sum of \$50: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Cancellation of settlement warrant.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

## [CHAPTER 847]

## AN ACT

For the relief of Oliver Z. Hoge.

August 26, 1937  
[H. R. 2195]

[Private, No. 377]

Oliver Z. Hoge.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Z. Hoge, of Staunton, Virginia, the sum of \$1,500, in full settlement of all claims against the United States for damages sustained by him as the result of personal injuries received in a fall, on September 19, 1936, down an unprotected and unlighted outside stairway at the rear of the post-office building in Staunton, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 848]

AN ACT

For the relief of Florida O. McLain, widow of Calvin E. McLain.

August 26, 1937

[H. R. 2229]

[Private, No. 378]

Florida O. McLain.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the United States, the sum of \$5,000 to Florida O. McLain, widow of Calvin E. McLain, who died as a result of injuries by reason of being struck by a truck which was being recklessly driven by an employee of the Government Civilian Conservation Corps in the city of Knoxville, Tennessee, on August 23, 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 849]

AN ACT

For the relief of Orba Caress.

August 26, 1937

[H. R. 2339]

[Private, No. 379]

Orba Caress.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orba Caress, of Woodward, Oklahoma, the sum of \$196, in full settlement of all claims against the United States for losses incurred in preparing, in November 1935, by the purchase of equipment and otherwise, to perform service under the contract to be awarded him for carrying the mail on Star Route Numbered 53992, Woodward to Forgan, Oklahoma, for a period of thirty days, the award of such contract having been revoked before any service was performed thereunder: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 850]

AN ACT

For the relief of Jerome H. Howard.

August 26, 1937

[H. R. 2451]

[Private, No. 380]

Jerome H. Howard.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

to Jerome H. Howard, of Harrisburg, Illinois, the sum of \$859.86 in full settlement of all claims against the United States for damage to his truck as a result of a collision with an Army truck on United States Highway Numbered 50, near Glenview, Illinois, on November 18, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 851]

AN ACT

For the relief of Bertha L. Frank.

August 26, 1937  
[H. R. 2455]

[Private, No. 381]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha L. Frank, sister of Edward P. Frank, deceased, of the city of New York, the sum of \$234.50, in full settlement of her claim for funeral expenses, and all claims against the United States for the death of said Edward P. Frank, which was caused by the deceased being struck down by an automobile truck belonging to the Post Office Department, on the 18th day of March 1920, at the intersection of Lafayette and Franklin Streets, in the Borough of Manhattan, city of New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Bertha L. Frank.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 852]

AN ACT

For the relief of John Stevens and the estate of Fred Hausauer, Junior.

August 26, 1937  
[H. R. 2641]

[Private, No. 382]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Stevens, of Missoula County, Montana, the sum of \$2,500, and to the administrator of the estate of Fred Hausauer, Junior, deceased, formerly of Missoula County, Montana, the sum of \$4,000, in full satisfaction of all claims against the United States for personal injuries sustained by the said John Stevens and for the death of said Fred Hausauer, Junior, when they were struck by a Forest Service truck operated by an enrollee of the Civilian Conservation Corps, in Missoula, Montana, on July 7, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and

John Stevens.  
Payment to.

Fred Hausauer, Jr.  
Payment to estate.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 853]

AN ACT

For the relief of Luke Francis Brennan.

August 26, 1937  
[H. R. 3372]  
[Private, No. 383]

Luke Francis Brennan.  
Naval record corrected.

*Provido.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Luke Francis Brennan, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of the United States Navy on March 22, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, August 26, 1937.

[CHAPTER 854]

AN ACT

To amend the Act entitled "An Act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935.

August 26, 1937  
[H. R. 3988]  
[Private, No. 384]

Minnie C. de Back,  
claim.  
49 Stat. 2089.

Suit permitted  
against United States.

38 Stat. 305.  
48 U. S. C. § 301.

Jurisdiction conferred on district court.

Liability of United States.

Commencement of suit.

Procedure.  
28 U. S. C. § 24 (20).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935, is hereby amended so as to read as follows:

"That consent is hereby granted to Minnie C. de Back, of San Francisco, California, to sue the United States of America in an action at law for general and special damages by reason of personal injuries alleged to have been sustained by her on or about July 3, 1931, while a passenger for hire aboard one of the trains of the Alaska Railroad, operated in the Territory of Alaska by the United States of America pursuant to the provisions of the Act of March 12, 1914 (ch. 37, sec. 1, 38 Stat. 305), as amended, together with the right to either party to appeal from any judgment which may be entered in said action.

"SEC. 2. Jurisdiction is hereby conferred upon the United States District Court for the Northern District of California, southern division, to hear, determine, and render judgment upon said claim, the subject of said action.

"SEC. 3. In the determination of such claim, the United States of America as defendant in such action shall be held liable for any tort committed by any of its instrumentalities, officers, agents, employees, or servants in the same manner and to the same extent as if it were a private person.

"SEC. 4. Such action on said claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitation, and proceedings for its determination shall be in accordance with Paragraph Twentieth of section 24 of the Judicial Code, as amended."

Approved, August 26, 1937.

## [CHAPTER 855]

## AN ACT

For the relief of H. A. Montgomery.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. A. Montgomery, of Oakland, California, the sum of \$600 in full settlement of all claims against the United States because of the loss of personal effects as the result of a fire in the apartment quarters 8F at Grand Canyon National Park, Arizona, September 1, 1935, which fire occurred through the defective condition of said building: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

August 26, 1937  
[H. R. 4257]  
[Private, No. 385]

H. A. Montgomery.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 856]

## AN ACT

For the relief of Alden H. Baker.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alden H. Baker, former postmaster at Westfield, Indiana, the sum of \$850.55 in full satisfaction of his claim against the United States for the value of postage, war-savings, and thrift stamps stolen from the post office at Westfield, Indiana, on April 13, 1918, and for which he has reimbursed the United States Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

August 26, 1937  
[H. R. 4537]  
[Private, No. 386]

Alden H. Baker.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 857]

## AN ACT

For the relief of the Puget Sound Bridge and Dredging Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Puget Sound Bridge and Dredging Company, of Seattle, Washington, the sum of \$856.97 in full settlement of all claims against the United States for damages sustained by reason of sus-

August 26, 1937  
[H. R. 5161]  
[Private, No. 387]

Puget Sound Bridge  
and Dredging Com-  
pany.  
Payment to.



*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

pension of dredging operations by the United States under contract W-869-eng-666, dated October 18, 1933, from November 20, 1934, to November 25, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 858]

AN ACT

For the relief of Major William W. McCaw.

August 26, 1937  
[H. R. 5568]  
[Private, No. 388]

Maj. William W.  
McCaw, Army.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major William W. McCaw, Medical Corps, United States Army, the sum of \$336 in full satisfaction of his claim against the United States for a stoppage in pay ordered against him on March 27, 1923, as a result of overpayments of an allotment in the case of Private Joseph Caci, from August 19, 1920, the date such soldier was court-martialed, through June 30, 1922, the date it was discovered that he had previously been dishonorably discharged, such overpayment resulting from the failure of Major McCaw, through a misinterpretation of the regulations, to notify the Finance Department of the Army of the said discharge of Private Joseph Caci: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 859]

AN ACT

For the relief of R. E. Rainer, R. H. Alderman, and John Harmon.

August 26, 1937  
[H. R. 6135]  
[Private, No. 389]

R. E. Rainer and  
others.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to R. E. Rainer the sum of \$101.50, to R. H. Alderman the sum of \$99.50, and to John Harmon the sum of \$53.73, in full settlement of all claims against the Government of the United States, representing the value of personal property which they lost in the performance of their duties as customs patrol inspectors when the customs vessel U. S. C. 4192 was destroyed by explosion and fire on December 3,

1935, at Pass-A-Grille, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 860]

AN ACT

Conferring jurisdiction upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment, upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming.

August 26, 1937  
[H. R. 6271]  
[Private, No. 390]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That jurisdiction is hereby conferred upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming, deceased, all of Atlanta, Georgia, for damages resulting from personal injuries, death, and property damage received by them on March 6, 1933, by reason of an automobile collision involving a United States Army truck and trailer, on the Atlanta-Newnan Highway, near Palmetto, Georgia: *Provided*, That the judgment, if any, shall not exceed, in the case of George Perdue, \$3,000; in the case of O. B. Ross, \$3,000; in the case of Sadie Washington, \$3,000; and in the case of the estate of Larry W. Fleming, \$5,000.

George Perdue and others.  
Claims of, referred to district court.

*Proviso.*  
Judgments, limitation.

SEC. 2. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of Paragraph Twentieth of section 24 of the Judicial Code, as amended.

Commencement of suit.

Procedure.

28 U. S. C. § 24 (20).

Approved, August 26, 1937.

[CHAPTER 861]

AN ACT

Conferring jurisdiction upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment upon the claim of Anthony Caramagno.

August 26, 1937  
[H. R. 6469]  
[Private, No. 391]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That jurisdiction is hereby conferred upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Anthony Caramagno, of Salisbury, Massachusetts, for damages to a restaurant

Anthony Caramagno.  
Claim of, referred to district court.

*Proviso.*  
Judgment, limita-  
tion.  
Commencement of  
suit.

Procedure.

28 U. S. C. § 24 (20).

and two houses at Salisbury, Massachusetts, owned by him, alleged to have been caused by blasting operations on a Works Progress Administration project numbered 7496, in May, 1936: *Provided*, That the judgment, if any, shall not exceed a total sum of \$7,154.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Approved, August 26, 1937.

[CHAPTER 862]

AN ACT

For the relief of Henry T. Sharp, Hilliard B. Atkins, and Theodore S. Meekins.

August 26, 1937  
[H. R. 6893]  
[Private, No. 392]

Beacon Island Mil-  
itary Reservation,  
N. C.  
Conveyance of, to  
persons designated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War, notwithstanding the terms and conditions of contract of sale and purchase dated January 14, 1926, as amended, be, and he is hereby, authorized and directed to convey to Henry T. Sharp, Asheville, North Carolina; Hilliard B. Atkins, Waynesville, North Carolina; and Theodore S. Meekins, Manteo, North Carolina, as their interest may appear, all the right, title, and interest of the United States of America in and to the Beacon Island Military Reservation, North Carolina, without payment of the balance due the United States under the aforesaid contract, as amended.

Approved, August 26, 1937.

[CHAPTER 863]

AN ACT

For the relief of John E. T. Clark.

August 26, 1937  
[H. R. 7458]  
[Private, No. 393]

John E. T. Clark.  
Credit in postal ac-  
counts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of John E. T. Clark, former postmaster at Coalgate, Oklahoma, in the sum of \$6,113.93 on account of the loss of postal, Treasury-savings, postal-savings, money-order, and war-revenue funds, resulting from the failure of the City National Bank of Coalgate, Oklahoma, on November 5, 1923, and the First National Bank of Coalgate, Oklahoma, on January 8, 1924.

Approved, August 26, 1937.

[CHAPTER 864]

AN ACT

Conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Lon D. Worsham Company.

August 26, 1937  
[H. R. 7587]  
[Private, No. 394]

Lon D. Worsham  
Company.  
Claim of, referred to  
Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Lon D. Worsham Company, a partnership consisting of Lon D. Worsham, Chattanooga, Tennessee, and J. H. Clark, Ringgold, Georgia, against the United States, arising out of contract W641 qm. 452, dated Novem-

ber 10, 1933, with the Quartermaster Corps of the United States Army for the erection of twenty-eight Civilian Conservation Corps camps, for damages alleged to be the result of work performed in addition to that required by said contract, notwithstanding the alleged failure of the contracting officer for the Government to issue written orders for said extra work, and/or losses alleged to be the result of delays on the part of the Government in furnishing materials which it had agreed to supply.

Approved, August 26, 1937.

[CHAPTER 865]

AN ACT

For the relief of Gallup's, Incorporated.

August 26, 1937

[H. R. 2215]

[Private, No. 395]

Gallup's, Inc.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gallup's, Incorporated, Kansas City, Missouri, the sum of \$198.50. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Gallup's, Incorporated, on account of the destruction by fire at Washington State Park, De Soto, Missouri, on March 12, 1935, of certain surveying instruments which were leased by such company under its former name of "Gallup Map and Supply Company" to the Department of the Interior, National Park Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 879]

AN ACT

For the relief of Margaret Voorhees, a minor.

August 28, 1937

[H. R. 615]

[Private, No. 396]

Margaret Voorhees.  
Payment to guardian.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to the legal guardian of Margaret Voorhees, a minor, of Fonda, New York, in full settlement of all claims against the Government of the United States for injuries sustained on July 2, 1935, at Fonda, New York, by Margaret Voorhees, as the result of the explosion of a torpedo firecracker thrown by a member of Company H, Sixty-sixth Regiment United States Infantry: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

## [CHAPTER 880]

## AN ACT

For the relief of P. S. Everest.

August 28, 1937

[S. 1402]

[Private, No. 397]

P. S. Everest.  
Payment to.Proriso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. S. Everest, former Superintendent and special disbursing agent for the Lac du Flambeau Indian Agency, Lac du Flambeau, Wisconsin, the sum of \$515.14, said sum to be in full settlement of his claim against the United States for a refund of interest paid to the Government on the principal sum of \$1,712.23, representing losses incurred from January 30 to July 30, 1930, on account of the fraudulent acts of W. H. Shawnee, deputy disbursing agent, which principal sum has been paid to P. S. Everest by the surety of W. H. Shawnee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

## [CHAPTER 881]

## AN ACT

For the relief of Harry Bryan and Alda Duffield Mullins, and others.

August 28, 1937

[S. 1640]

[Private, No. 398]

Harry Bryan and  
Alda Duffield Mullins, and others.  
Payments to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Bryan and Alda Duffield Mullins, for the death of their daughter, Eva Mae Mullins, the sum of \$5,000; to the legal guardian of Elbert Grover Harrison, Junior, the sum of \$11,000; to the legal guardian of Imogene Stanley, the sum of \$500; to the legal guardian of Graynell Stanley, the sum of \$2,500; to the legal guardian of Hazel Marie Hitchcock, the sum of \$5,000; to the legal guardian of Patricia Lea Hitchcock, the sum of \$1,000; to the legal guardian of Charles Ray Coulter, the sum of \$4,000; to the legal guardian of Harry Robert Isenhardt, the sum of \$10,000; to the legal guardian of Carl Gene Bosley, the sum of \$9,000; to the legal guardian of Doris Ruth Helmick, the sum of \$750; to the legal guardian of James Andrew Belknap, the sum of \$1,000; to Patrick Daniel and Nora Helena Grace Hickey, for injuries sustained by Paul Hickey, their son, the sum of \$100; to Everett French Mick, for injuries sustained by Wallace Robert Mick, his son, the sum of \$300; to William M. and Ato Norman Young, for injuries sustained by Harry Jess Young, their son, the sum of \$100; to Albert and Della Workman Groves, for injuries sustained by Norris Blaine Groves, their son, the sum of \$100; to Ethel Rollyson Lough, the sum of \$2,500, and to Ray Earl Bennett, the sum of \$75, all claimants of Gassaway, Braxton County, West Virginia; said sums, in all, \$52,925, to be in full settlement of all claims against the Government for personal injuries and death

caused by an explosion resulting from the negligent heating of tar by employees of the Works Progress Administration in Gassaway, West Virginia, November 7, 1936. The sums above appropriated to guardians are for the sole and exclusive benefit of the minors for whom such guardians are appointed.

SEC. 2. That no part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

Prohibition on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 882]

AN ACT

For the relief of George H. Stahl and Henry A. Behrens.

August 28, 1937

[S. 2093]

[Private, No. 399]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George H. Stahl, who was a member of Company B, Fourth Regiment Wisconsin Volunteer Infantry, enlisted July 14, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 10th day of December 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

George H. Stahl.  
Military record corrected.

*Proriso.*  
No back pay, etc.

Henry A. Behrens.  
Military record corrected.

SEC. 2. That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Henry A. Behrens, who was a member of Company F, Fourth Regiment Wisconsin Volunteer Infantry, and who was mustered into the service on July 11, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on February 28, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

*Proriso.*  
No back pay, etc.

Approved, August 28, 1937.

[CHAPTER 883]

AN ACT

For the relief of George R. Slate.

August 28, 1937

[S. 2159]

[Private, No. 400]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George R. Slate, who was a member of Company G, Third Regiment Virginia Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 2d day of July 1898, and notwithstanding any provisions to the contrary in the Act relating to pensions approved April 26, 1898, as amended by the act approved May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

George R. Slate.  
Military record corrected.

*Proriso.*  
No back pay, etc.

Approved, August 28, 1937.

## [CHAPTER 884]

## AN ACT

For the relief of M. M. Twichel.

August 28, 1937

[S. 2299]

[Private, No. 401]

M. M. Twichel.  
Payment to.*Proviso.*  
Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel, of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$3,346.66, or so much thereof as may be necessary, in full and complete satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Indian Reservation, Montana, prior to April 30, 1937: *Provided,* That before any payment is made hereunder the Secretary of the Interior shall certify that no part of the amount claimed has heretofore been paid: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

## [CHAPTER 885]

## AN ACT

For the relief of Lois H. Anthony and Albert J. E. Shay.

August 28, 1937

[S. 2301]

[Private, No. 402]

Lois H. Anthony.  
Credit in accounts.Albert J. E. Shay.  
Judgments canceled.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General is authorized and directed to cancel the charges, in the amount of \$8,819.36, entered on the accounts of Lois H. Anthony, as clerk in charge of the post office at the Navy Yard at Boston, Massachusetts, by reason of the disallowance by the General Accounting Office of payments made to the said Lois H. Anthony by the Post Office Department for her services in conducting such post office during the period from December 6, 1926, to June 1, 1936.

SEC. 2. That the Comptroller General is hereby authorized and directed to cancel the judgments, in the amount of \$1,750, entered on the accounts of Albert J. E. Shay, as clerk in charge of the contract post office at the Navy Yard at Brooklyn, New York, by reason of the disallowance by the General Accounting Office of payments made to the said Albert J. E. Shay by the Post Office Department for his services in conducting such post office under a contract effective June 1, 1934.

Approved, August 28, 1937.

## [CHAPTER 886]

## AN ACT

For the relief of F. A. Gross and others.

August 28, 1937

[S. 2374]

[Private, No. 403]

F. A. Gross and  
others.  
Credit in accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of F. A. Gross, Superintendent of the Fort Hall Indian Agency; Donald H. Biery, Superintendent of the Sherman Institute; Lem A. Towers, Superintendent

of the Southern Pueblos Indian Agency; and G. F. Allen, Chief Disbursing Officer of the Treasury Department, for expenditures made for travel expense, compensation, and per diem of certain Indian employees of the Indian Service while attending the fourth seminar in education at Yale University during the fiscal year 1935, under authorities issued by the Commissioner of Indian Affairs.

Approved, August 28, 1937.

[CHAPTER 887]

AN ACT

For the relief of Harry A. Garfield, Cyrus Garnsey, Junior, James H. Allport, and Frank E. Harkness.

August 28, 1937  
[S. 2514]  
[Private, No. 404]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons, formerly associated with the United States Fuel Administration, the sum hereinafter specified in full satisfaction of all their claims against the United States for reimbursement of all sums paid by them out of their personal funds as compensation to employees engaged subsequent to June 30, 1919, in winding up the affairs of the United States Fuel Administration: Harry A. Garfield, of Washington, District of Columbia, \$2,986.65; Cyrus Garnsey, Junior, of rural free delivery route numbered 3, Seneca Falls, New York, \$80; James H. Allport, of Barnesboro, Pennsylvania, \$127.16; and Frank E. Harkness, of 120 South La Salle Street, Chicago, Illinois, in care of Butler, Lamb, Foster, and Pope, \$117.50: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry A. Garfield  
and others.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

[CHAPTER 892]

AN ACT

To carry into effect the findings of the Court of Claims in the case of William W. Danenhower.

August 31, 1937  
[S. 1438]  
[Private, No. 405]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sallie M. Danenhower, executrix of the estate of William W. Danenhower, deceased, the sum of \$34,260, said sum to be in full and final settlement of all claims against the Government of the United States and the District of Columbia for damages caused by the depreciation in value of said William W. Danenhower's property situate in square 737 of the city of Washington, District of Columbia, which said damages were caused by the elimination of grade crossings of railroads in pursuance to the Act of Congress approved February 12, 1901 (31 Stat. L. 774), and Acts supplemental thereto, as found by the Court of Claims and reported in Senate Document Numbered 2, Sixty-seventh Congress, first session: *Provided*, That one-half of said sum of \$34,260 shall be chargeable to the District of Columbia and

William W. Danenhower.  
Payment to estate of.

31 Stat. 774.

*Provisos.*  
Division of payment.



Limitation on attorney's, etc., fees.

Penalty for violation.

paid in like manner as other appropriations of the District of Columbia are paid: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 31, 1937.

#### [CHAPTER 893]

#### AN ACT

For the relief of Elva T. Shuey.

August 31, 1937

[H. R. 2649]

[Private, No. 406]

Elva T. Shuey.  
Dual employment,  
release of liability by  
reason of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Elva T. Shuey, an employee of the Bureau of Mines, Department of the Interior, is hereby released from any liability to the United States by reason of being employed in two positions, that of teacher in the District of Columbia schools and as clerk in the executive branch of the Government during the period January 13, 1919, to March 15, 1919, and on September 16, 1920, and June 30, 1924. The Acting Comptroller General of the United States has certified that the sum of \$192.50 is due the United States from the said Elva T. Shuey under the statute relating to the receiving more than one salary.

Approved, August 31, 1937.

#### [CHAPTER 894]

#### AN ACT

For the relief of the Merchants National Bank and Trust Company, the First National Bank and Trust Company, and the Vicksburg Infirmary, all of Vicksburg, Mississippi.

August 31, 1937

[H. R. 6682]

[Private, No. 407]

Merchants National  
Bank and Trust Com-  
pany, Vicksburg,  
Miss., and others.  
Payment to.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Recovery of embezzled funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Merchants National Bank and Trust Company, of Vicksburg, Mississippi, the sum of \$500, to the First National Bank and Trust Company, of Vicksburg, Mississippi, the sum of \$500, and to the Vicksburg Infirmary, of Vicksburg, Mississippi, the sum of \$275, in full satisfaction of their claims against the United States for a refund of the value of thirteen invalid postal money orders fraudulently issued from December 9, 1932 to January 13, 1933, by Harry G. Peek, former postmaster at Sondheimer, Louisiana, which sums have heretofore been paid to the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

SEC. 2. Nothing in this Act shall be construed to prevent the recovery by the United States of funds embezzled by the said Harry G. Peek, or on money orders unlawfully issued by him, except those which are the subject of these claims.

Approved, August 31, 1937.

# CONCURRENT RESOLUTIONS

# CONCURRENT RESOLUTIONS

## FIRST SESSION, SEVENTY-FIFTH CONGRESS

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### JOINT MEETING

January 5, 1937  
[S. Con. Res., No. 1]

*Resolved by the Senate (the House of Representatives concurring),* That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 6th day of January, 1937, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, January 5, 1937.

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### COUNTING ELECTORAL VOTES

January 5, 1937  
[S. Con. Res., No. 2]

*Resolved by the Senate (the House of Representatives concurring),* That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January 1937, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Counting electoral votes.

Proceedings for, in the Hall of the House of Representatives.

Passed, January 5, 1937.

January 29, 1937

[S. Con. Res., No. 3]

Revenue Act of 1936.  
Additional copies of,  
ordered printed.  
49 Stat. 1648.

Distribution.

## REVENUE ACT OF 1936

*Resolved by the Senate (the House of Representatives concurring),*  
That there be printed twenty-eight thousand additional copies of the Act entitled "An Act to provide revenue, equalize taxation, and for other purposes" (Public, Numbered 740, Seventy-fourth Congress), approved June 22, 1936, of which fifteen thousand copies shall be for the use of the House document room, five thousand copies shall be for the Senate document room, two thousand copies for the Committee on Ways and Means of the House of Representatives, one thousand for the Committee on Finance of the Senate, and five thousand for the Joint Committee on Printing.

Passed, January 29, 1937.

March 16, 1937

[S. Con. Res., No. 5]

Army Day.  
April 6 of each year  
recognized as.

Proclamation.  
Post, p. 1824.

*Provido.*  
Observance, when  
falling on Sunday.

## ARMY DAY

*Resolved by the Senate (the House of Representatives concurring),*  
That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day.

Passed, March 16, 1937.

April 1, 1937

[H. Con. Res., No. 7]

"The Taxing Power  
of the Federal and  
State Governments."  
Additional copies of,  
ordered printed.  
34 Stat. 1012.  
44 U. S. C. § 133.

## "THE TAXING POWER OF THE FEDERAL AND STATE GOVERNMENTS"

*Resolved by the House of Representatives (the Senate concurring),*  
That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Joint Committee on Internal Revenue Taxation be, and is hereby, empowered to have printed for its use five thousand additional copies of its report entitled "The Taxing Power of the Federal and State Governments."

Passed, April 1, 1937.

April 7, 1937

[H. Con. Res., No. 8]

Charles M. Perkins.  
Return of bill con-  
cerning, requested.  
*Ante*, p. 947.

## CHARLES M. PERKINS

*Resolved by the House of Representatives (the Senate concurring),*  
That the President of the United States be, and he is hereby, requested to return to the House of Representatives the enrolled bill (H. R. 1089) entitled "An Act for the relief of Charles M. Perkins."

Passed, April 7, 1937.

## CHARLES M. PERKINS

*Resolved by the House of Representatives (the Senate concurring),* That the action of the Speaker of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 1089) entitled "An Act for the relief of Charles M. Perkins", be rescinded, and that in the re-enrollment of the said bill the Clerk of the House of Representatives be, and he is hereby, authorized and directed to make the following correction, to wit:

Strike out the figures "\$14,987.66" and insert in lieu thereof the figures "\$14,897.66."

Passed, April 9, 1937.

April 9, 1937  
[H. Con. Res., No. 9]

Charles M. Perkins.  
Cancellation of signatures and correction in re-enrollment of bill for relief of, directed.  
*Ante*, p. 947.

## FOREIGN DECORATIONS, ETC.

*Resolved by the Senate (the House of Representatives concurring),* That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 1455) to authorize certain officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered; that if and when the said bill is returned by the President, the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the said bill be deemed to be rescinded; and that the Secretary of the Senate be, and is hereby, authorized and directed, in the reenrollment of the said bill, to make the following correction, viz: In the language inserted by the engrossed House amendment No. 4 on page 2, at the end of line 11 of the engrossed bill, strike out the word "Lieutenant" and insert the words "Lieutenant Colonel."

Passed, April 12, 1937.

April 12, 1937  
[S. Con. Res., No. 8]

Foreign decorations, etc.  
Return of bill (S. 1455) respecting, requested.  
*Ante*, p. 943.

Cancellation of signatures of Speaker and President pro tempore of the Senate.

Correction in re-enrollment.

## BITUMINOUS COAL ACT OF 1937

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill (H. R. 4985) to regulate interstate commerce in bituminous coal, and for other purposes, the Clerk of the House is authorized and directed to strike out in section 4-A the following: "and interstate commerce on the one hand".

Passed, April 15, 1937.

April 15, 1937  
[H. Con. Res., No. 10]

Bituminous Coal Act of 1937.  
Correction in enrollment of bill, directed.  
*Ante*, p. 72.

## REORGANIZATION OF THE JUDICIAL BRANCH OF THE GOVERNMENT

*Resolved by the Senate (the House of Representatives concurring),* That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on the Judiciary of the Senate be, and is hereby, empowered to have printed for its use five thousand additional copies of part 2 and each subsequent part of the hearings held before the said committee during the current session on the bill (S. 1392), "To reorganize the judicial branch of the Government."

Passed, May 12, 1937.

May 12, 1937  
[S. Con. Res., No. 13]

Reorganization of the judicial branch of the Government.  
Printing of additional copies of hearings on bill (S. 1392).

May 21, 1937

[S. Con. Res., No. 14]

## STATUES OF WILLIAM JENNINGS BRYAN AND J. STERLING MORTON

Statues of William  
Jennings Bryan and  
J. Sterling Morton.

Proceedings upon  
acceptance of, ordered  
printed.

Distribution.

Illustrations.

*Resolved by the Senate (the House of Representatives concurring),* That there be printed with illustrations and bound five thousand copies of the proceedings in Congress, together with the proceedings held at the unveiling in Statuary Hall, upon the acceptance of the statutes<sup>1</sup> of William Jennings Bryan and J. Sterling Morton, presented by the State of Nebraska, of which one thousand shall be for the use of the Senate and two thousand five hundred for the use of the House of Representatives, and the remaining one thousand five hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Nebraska.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Passed, May 21, 1937.

May 28, 1937

[H. Con. Res., No. 14]

## INDEPENDENT OFFICES APPROPRIATION BILL, 1938

Independent Offices  
Appropriation bill,  
1938.

Correction in enroll-  
ment, directed.  
*Ante*, p. 344.

*Resolved by the House of Representatives (the Senate concurring),* That, in the enrollment of the bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes, the Clerk of the House of Representatives is hereby authorized and directed to change the amount of "\$150,000,000" in the third paragraph under the heading "Social Security Board" to the sum of "\$132,000,000" and to change the total accordingly.

Passed, May 28, 1937.

June 7, 1937

[S. Con. Res., No. 12]

## STATUES OF WILLIAM JENNINGS BRYAN AND J. STERLING MORTON

Statues of William  
Jennings Bryan and  
J. Sterling Morton.

Thanks of Congress  
presented to Nebraska  
for.

Copy of resolution  
to Governor.

*Resolved by the Senate (the House of Representatives concurring),* That the thanks of this Congress be presented to the Governor and through him to the people of the State of Nebraska for the statues of William Jennings Bryan and J. Sterling Morton, whose names are so honorably identified with the history of our country; that these works of art are accepted in the name of the Nation and assigned to places in the Capitol of the United States already set aside by Congress for the statues of eminent citizens; and that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the Governor of Nebraska.

Passed, June 7, 1937.

<sup>1</sup> So in original.

## BIRTH OF VIRGINIA DARE, ETC.

June 16, 1937  
[H. Con. Res., No. 17]

*Resolved by the House of Representatives (the Senate concurring),* That a joint committee consisting of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall represent the Congress of the United States at the celebration of the three hundred and fiftieth anniversary of the birth of Virginia Dare (the first child of English parentage to be born on the American Continent), and the three hundred and fiftieth anniversary of the disappearance of Sir Walter Raleigh's Colony (known in history as "The Lost Colony"), to be held at Roanoke Island, North Carolina, on August 18, 1937. The joint committee shall select a chairman from among its members.

SEC. 2. The necessary expenses of the joint committee herein authorized not exceeding \$1,000 shall be paid one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives on vouchers authorized by the joint committee and signed by the chairman thereof.

Passed, June 16, 1937.

Birth of Virginia Dare, etc.  
Joint committee appointed to represent Congress at 350th anniversary celebration.

Division of expenses.

## STAR-ROUTE CONTRACTS, POSTAL SERVICE

June 18, 1937  
[S. Con. Res., No. 16]

*Resolved by the Senate (the House of Representatives concurring),* That in the enrollment of the bill (H. R. 4408) to provide for the renewal of star-route contracts at four-year intervals, and for other purposes, the Clerk of the House is authorized and directed to strike out in section 2 "stated in" and insert in lieu thereof "required under", and to strike out in section 4 the word "contract" where it appears immediately preceding the word "legally" and insert in lieu thereof the word "contractor".

Passed, June 18, 1937.

Star-route contracts, Postal Service.  
Correction in enrollment of bill (H. R. 4408) concerning, directed.

## INDEPENDENT OFFICES APPROPRIATION ACT, 1938

June 18, 1937  
[H. Con. Res., No. 18]

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill (H. R. 4064) entitled "An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes", the Clerk of the House of Representatives is authorized and directed to insert in the fourth paragraph under the caption "Veterans' Administration" after the word "Administration," the following additional matter: "accruing during the fiscal year 1938 or in prior fiscal years,".

Passed, June 18, 1937.

Independent Offices Appropriation Act, 1938.  
Correction in enrollment of bill (H. R. 4064) directed.  
Ante, p. 345.

## REORGANIZATION OF THE JUDICIAL BRANCH OF THE GOVERNMENT

June 30, 1937  
[S. Con. Res., No. 17]

*Resolved by the Senate (the House of Representatives concurring),* That there shall be printed thirty thousand additional copies of Senate Report Numbered 711, current session, on the bill (S. 1392) to reorganize the judicial branch of the Government, of which seven thousand copies shall be for the use of the Senate Document Room and twenty-three thousand copies for the use of the House Document Room.

Passed, June 30, 1937.

Reorganization of the judicial branch of the Government.  
Additional copies of report on, ordered printed.  
Distribution.

July 19, 1937

[S. Con. Res., No. 10]

Statue of General William Henry Harrison Beadle.

Acceptance and thanks of Congress to South Dakota.

Copy of resolutions to Governor.

## STATUE OF GENERAL WILLIAM HENRY HARRISON BEADLE

*Resolved by the Senate (the House of Representatives concurring),* That the statue of General William Henry Harrison Beadle, presented by the State of South Dakota, to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of the Congress be tendered said State for the contribution of the statue of one of its most eminent citizens, illustrious for his valor as a soldier and his distinguished service as an educator; and be it further *Resolved,* That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of South Dakota.

Passed, July 19, 1937.

August 6, 1937

[H. Con. Res., No. 21]

"Technological Trends and National Policy, Including the Social Implications of the New Inventions." Additional copies ordered printed. Distribution.

## TECHNOLOGICAL TRENDS AND NATIONAL POLICY, ETC.

*Resolved by the House of Representatives (the Senate concurring),* That the Report of the Subcommittee on Technology, submitted to the National Resources Committee, entitled "Technological Trends and National Policy, Including the Social Implications of the New Inventions", be printed as a House document; and that ten thousand additional copies shall be printed, of which two thousand nine hundred copies shall be for the use of the Senate and seven thousand one hundred copies shall be for the use of the House.

Passed, August 6, 1937.

August 21, 1937

[S. Con. Res., No. 18]

Joint Committee on Hawaii. Establishment, composition.

Investigation and study of subject of statehood, etc.

Report to Senate and House of Representatives.

Powers.

## JOINT COMMITTEE ON HAWAII

*Resolved by the Senate (the House of Representatives concurring),* That there is hereby created a joint congressional committee to be known as the Joint Committee on Hawaii, which shall be composed of not to exceed twelve Members of the Senate, to be appointed by the President of the Senate, and not to exceed twelve Members of the House of Representatives and the Delegate from Hawaii, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman from among its members. The committee shall cease to exist upon making its report to Congress pursuant to this resolution.

SEC. 2. The committee is authorized and directed to conduct a comprehensive investigation and study of the subject of statehood and of other subjects relating to the welfare of the Territory of Hawaii. The committee shall report to the Senate and to the House of Representatives not later than January 15, 1938, the results of its investigation and study, together with its recommendations for such legislation as it deems necessary or desirable.

SEC. 3. For the purposes of this resolution, the committee is authorized to sit and act, as a whole or by subcommittee, at such times and places as it deems advisable, to hold such hearings, to administer such oaths and affirmations, to take such testimony, and to have such printing and binding done as it deems necessary.

Passed, August 21, 1937.



## DEVELOPMENT OF RESOURCES OF ALASKA

*Resolved by the House of Representatives (the Senate concurring),* That the President is requested to prepare or cause to be prepared by the present departments and agencies of the Government, and within the regular appropriations of such departments and agencies heretofore made for the fiscal year 1938, and to report to the Congress within thirty days after commencement of the second session of the Seventy-fifth Congress, a comprehensive plan for the development of the resources of the Territory of Alaska, and the expansion and development of the facilities of commerce between the United States and Alaska, and within the Territory. The plan so prepared and reported to Congress, may, in the discretion of the President, embrace a statement of such works and facilities to be established in Alaska as may be desirable for national defense. Said report to contain such information as will aid the Congress in conducting investigations to determine what is to be done with the resources of Alaska.

Passed, August 21, 1937.

August 21, 1937  
[H. Con. Res., No. 24]

Resources of Alaska.  
Preparation of plan  
for development of.

Report to Congress.

## ADJOURNMENT

*Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress shall adjourn on Saturday the 21st day of August 1937, and that when they adjourn on said day they stand adjourned sine die.

Passed, August 21, 1937.

August 21, 1937  
[H. Con. Res., No. 25]

Adjournment of  
Congress, August 21,  
1937.

## SIGNING ENROLLED BILLS, ETC.

*Resolved by the House of Representatives (the Senate concurring),* That notwithstanding the adjournment of the first session of the Seventy-fifth Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bills or joint resolutions duly passed by the two Houses and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.

Passed, August 21, 1937.

August 21, 1937  
[H. Con. Res., No. 26]

Enrolled bills or  
joint resolutions.  
Signing of, after ad-  
journment author-  
ized.

# TREATIES

#### NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

# TREATIES

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*Supplementary extradition convention between the United States of America and France. Signed at Paris, April 23, 1936; ratification advised by the Senate, June 16, 1936; ratified by the President, June 20, 1936; ratified by France, July 30, 1936; ratifications exchanged at Paris, August 25, 1936; proclaimed, September 11, 1936.*

April 23, 1936  
[T. S. No. 909]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS a supplementary extradition convention between the United States of America and the Republic of France was concluded and signed by their respective Plenipotentiaries at Paris on the twenty-third day of April, one thousand nine hundred and thirty-six, the original of which supplementary convention, being in the English and French languages, is word for word as follows:

Supplementary extradition convention with France.  
Preamble.

THE UNITED STATES OF AMERICA AND THE REPUBLIC OF FRANCE being desirous of completing the list of crimes and offenses on account of which extradition may be granted under the Convention concluded between the United States and France January 6, 1909, have resolved to conclude an additional Convention for this purpose and to that end have appointed the following plenipotentiaries, to wit:

The President of the United States of America:

His Excellency Mr. Jesse Isidor STRAUS, Ambassador extraordinary and plenipotentiary of the United States of America to the French Republic;

And the President of the French Republic:

His Excellency Mr. Pierre-Etienne FLANDIN, Deputy, Minister for Foreign Affairs,

Who are in agreement on the following articles:

LES ETATS-UNIS D'AMERIQUE et la REPUBLIQUE FRANCAISE désirant compléter la liste des crimes et délits pour lesquels l'extradition peut être accordée en vertu de la Convention conclue entre les Etats-Unis et la France, le 6 Janvier 1909, ont résolu de conclure une Convention additionnelle à cet effet et ont désigné, pour ce faire, les Plénipotentiaires ci-après, savoir:

Contracting powers.  
37 Stat. 1526.

Le Président des Etats-Unis d'Amérique:

Son Excellence M. Jesse Isidor STRAUS, Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique près le Gouvernement de la République Française et le Président de la République française:

Son Excellence M. Pierre-Etienne FLANDIN, Député, Ministre des Affaires Etrangères;

Lesquels se sont mis d'accord sur les articles ci-après:

Plenipotentiaries.

## ARTICLE I.

Addition to extraditable crimes.  
37 Stat. 1529; 46 Stat. 2276.

Crimes, etc., against bankruptcy laws.

The following stipulation, forming a paragraph 17, is added to the list of crimes and offenses appearing in Article II of the aforementioned Convention of January 6, 1909, completed by the additional Convention of January 15, 1929: "Acts classified under the heading of bankruptcy, or punished with the penalties of bankruptcy, by French law, if they constitute a crime or an offense in accordance with the laws of the United States".

## ARTICLE II.

Considered part of former convention.

The present Convention shall be considered as an integral part of the aforementioned extradition Convention of January 6, 1909. The second article thereof shall be read as if the list of crimes and offenses contained therein had originally comprised the criminal acts under the heading of bankruptcy by French law and provided for in Article I of the present Convention.

Exchange of ratifications.

The present Convention shall be ratified and the ratifications exchanged at Paris as soon as possible. It will come into force thirty days after the exchange of ratifications. It will continue in force and will terminate in the same manner as the said Convention of January 6, 1909.

Signatures.

By virtue of which the present plenipotentiaries have signed the present Convention in duplicate and have thereunto affixed their seals.

Done in duplicate at Paris, on the 23<sup>rd</sup> of April, 1936.

JESSE ISIDOR STRAUS [SEAL]

P. E. FLANDIN [SEAL]

## ARTICLE IER—

La disposition suivante constituant un paragraphe 17 est ajoutée à la liste des crimes et délits figurant à l'article II de ladite Convention du 6 Janvier 1909, complétée par la Convention additionnelle du 15 Janvier 1929:

"Faits incriminés sous la qualification de banqueroute ou punis des peines de la banqueroute par la législation française, s'ils constituent un crime ou un délit, d'après la législation des Etats-Unis".

## ARTICLE II.

La présente Convention doit être considérée comme partie intégrante de ladite Convention d'extradition du 6 Janvier 1909. Le nouvel article II de cette dernière doit être interprété comme si la liste des crimes et délits qui y sont énumérés avait compris dès l'origine les faits incriminés sous la qualification de banqueroute par la législation française et prévus à l'Article Ier de la présente Convention.

La présente Convention sera ratifiée et les ratifications seront échangées à Paris le plus tôt possible. Elle entrera en vigueur trente jours après l'échange des ratifications. Elle restera en vigueur et prendra fin dans les mêmes conditions que la Convention du 6 Janvier 1909.

En Foi de quoi, les Plénipotentiaires respectifs ont signé la présente Convention en double exemplaire et y ont apposé leurs sceaux.

Fait en double à Paris le 23 Avril 1936.

[SEAL] JESSE ISIDOR STRAUS

[SEAL] P. E. FLANDIN

Ratifications exchanged.

AND WHEREAS the said supplementary convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Paris on the twenty-fifth day of August, one thousand nine hundred and thirty-six;

Effective date.

AND WHEREAS the said supplementary convention, in accordance with Article II thereof, will come into force thirty days after the exchange of ratifications, that is to say, on September 24, 1936;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after the twenty-fourth day of September, 1936.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of September, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*International Convention and Regulations for Promoting Safety of Life at Sea. Signed at London, May 31, 1929; ratification advised by the Senate, subject to understandings, June 19, 1936; ratified by the President, subject to said understandings, July 7, 1936; ratification of the United States deposited at London, August 7, 1936; proclaimed, September 30, 1936.*

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May 31, 1929  
[T. S. No. 910]

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Convention for Promoting Safety of Life at Sea, with regulations annexed, was signed at London on May 31, 1929, by the respective plenipotentiaries of the United States of America, Germany, the Commonwealth of Australia, Belgium, Canada, Denmark, Spain, the Irish Free State, Finland, France, the United Kingdom of Great Britain and Northern Ireland, India, Italy, Japan, Norway, the Netherlands, Sweden and the Union of Soviet Socialist Republics, the original of which Convention and regulations in the English and French languages, is word for word as follows:

International Convention, etc., for Promoting Safety of Life at Sea.  
Preamble.

## INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA.

### PREAMBLE.

Contracting Pow-  
ers.

The Governments of Germany, the Commonwealth of Australia, Belgium, Canada, Denmark, Spain, the Irish Free State, the United States of America, Finland, France, the United Kingdom of Great Britain and Northern Ireland, India, Italy, Japan, Norway, the Netherlands, Sweden, the Union of Socialist Soviet Republics; being desirous of promoting safety of life at sea by establishing in common agreement uniform principles and rules directed thereto;

Considering that this end may best be achieved by the conclusion of a Convention;

Plenipotentiaries.

Have appointed their Plenipotentiaries, namely:

#### *The Government of Germany:*

Dr. Friedrich STHAMER, Ambassador Extraordinary and Plenipotentiary of the German Reich in London.

Mr. Gustav KOENIGS, Ministerialdirigent in the Reichsverkehrsministerium, Geheimer Regierungsrat, Berlin.

Mr. Arthur WERNER, Oberregierungsrat in the Reichsverkehrsministerium, Geheimer Justizrat, Berlin.

Mr. Walter LAAS, Professor, Director of the "Germanischer Lloyd" Classification Society, Berlin.

Dr. Otto RIESS, Director ret. of the Reichsschiffsvermessungsamt, Geheimer Regierungsrat, Neubrandenburg.

Mr. Hermann GIESS, Ministerialrat in the Reichspostministerium, Berlin.

Vice-Admiral Hugo DOMINIK, President of the "Deutsche Seewarte, Hamburg."

#### *The Government of the Commonwealth of Australia:*

Captain Henry James FEAKES, Royal Australian Navy, Commonwealth Naval Representative in London.

Lieut.-Commander Thomas FREE, Royal Naval Reserve (Retired).

Captain J. K. DAVIS, Commonwealth Director of Navigation.

#### *The Government of Belgium:*

Baron DE GERLACHE DE GOMERY, Director-General of the Marine Department.

Mr. Gustave DE WINNE, Ingénieur en Chef, Director of the Marine Department.

Mr. Georges GOOR, Adviser to the Marine Department.



## CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA VIE HUMAINE EN MER.

### PRÉAMBULE.

Les Gouvernements de l'Allemagne, du Commonwealth d'Australie, de la Belgique, du Canada, du Danemark, de l'Espagne, de l'État Libre d'Irlande, des États-Unis d'Amérique, de la Finlande, de la France, du Royaume Uni de la Grande-Bretagne et d'Irlande du Nord, de l'Inde, de l'Italie, du Japon, de la Norvège, des Pays-Bas, de la Suède, de l'Union des Républiques Soviétistes Socialistes, étant désireux d'établir d'un commun accord des principes et des règlements à l'effet de sauvegarder la vie humaine en mer,

Considérant que le meilleur moyen d'atteindre ce but est la conclusion d'une Convention,

Ont désigné les plénipotentiaires suivants:

#### *Le Gouvernement de l'Allemagne:*

- M. le Docteur Friedrich STHAMER, Ambassadeur extraordinaire et plénipotentiaire de l'Allemagne à Londres.
- M. Gustav KOENIGS, Ministerialdirigent au Reichsverkehrsministerium, Geheimer Regierungsrat, Berlin.
- M. Arthur WERNER, Oberregierungsrat au Reichsverkehrsministerium, Geheimer Justizrat, Berlin.
- M. Walter LAAS, Professeur, Directeur de la Société de Classification "Germanischer Lloyd," Berlin.
- M. le Docteur Otto RIESS, Directeur en retraite du Reichsschiffsvermessungsamt, Geheimer Regierungsrat, Neubrandenburg.
- M. Hermann GRIESS, Ministerialrat au Reichspostministerium, Berlin.
- M. le Vice-Amiral Hugo DOMINIK, Président de la "Deutsche Seewarte," Hamburg.

#### *Le Gouvernement du Commonwealth d'Australie:*

- M. le Capitaine de vaisseau Henry James FEAKES, Royal Australian Navy, Attaché Naval du Commonwealth à Londres.
- M. le Capitaine de corvette en retraite Thomas FREE, Royal Naval Reserve.
- M. le Capitaine de vaisseau J. K. DAVIS, Directeur de la Navigation.

#### *Le Gouvernement de la Belgique:*

- M. le Baron DE GERLACHE DE GOMERY, Directeur Général à l'Administration de la Marine.
- M. Gustave DE WINNE, Ingénieur en chef, Directeur du Service à l'Administration de la Marine.
- M. Georges GOOR, Conseiller à l'Administration de la Marine.

Plenipotentiaries—  
Continued.

*The Government of Canada:*

Mr. Alexander JOHNSTON, Deputy Minister of Marine.

Mr. Lucien PACAUD, Secretary in the Office of the Canadian High Commissioner in London.

*The Government of Denmark:*

Mr. Emil KROGH, Assistant-Secretary in the Marine Department, Ministry of Industry, Commerce and Shipping.

Mr. V. TOPSØE-JENSEN, Judge of the Supreme Court of Appeal.

Captain V. LORCK, Chief Examiner of Masters and Mates.

Mr. J. A. KÖRBING, Technical Managing Director of the United Steam Ship Company, Copenhagen.

Mr. Aage H. LARSEN, Engineer in Chief of the Ministry of Industry, Commerce and Shipping.

Mr. Arnold POULSEN, Engineer Commissioner to the Ministry of Industry, Commerce and Shipping.

*The Government of Spain:*

Rear-Admiral DON FRANCISCO JAVIER DE SALAS y Gonzalez, Head of the Naval Commission in Europe.

*The Government of the Irish Free State:*

Mr. J. W. DULANTY, Commissioner for Trade for the Irish Free State in Great Britain.

Mr. E. C. FOSTER, Chief Surveyor in the Marine Branch, Department of Industry and Commerce.

*The Government of the United States of America:*

The Honourable WALLACE H. WHITE, Junior, Member of Congress, Chairman of the Committee on Merchant Marine and Fisheries.

Mr. ARTHUR J. TYRER, Commissioner of Navigation, Department of Commerce.

Mr. CHARLES M. BARNES, Chief of the Treaty Division, Department of State.

Rear-Admiral GEORGE H. ROCK, Construction Corps, United States Navy, Assistant Chief of the Bureau of Construction and Repair, Navy Department.

Captain CLARENCE S. KEMPF, United States Navy, Hydrographer, Navy Department.

Mr. DICKERSON N. HOOVER, Supervising Inspector-General of the Steamboat Inspection Service, Department of Commerce.

Mr. WILLIAM D. TERRELL, Chief of the Radio Division, Department of Commerce.

Rear-Admiral JOHN G. TAWRESEY, Construction Corps, United States Navy (Retired), United States Shipping Board.

Mr. HERBERT B. WALKER, President of the American Steamship Owners' Association.

Mr. HENRY G. SMITH, President of the National Council of American Shipbuilders.

Captain CHARLES A. McALLISTER, President of the American Bureau of Shipping.

*The Government of Finland:*

Baron GUSTAF WREDE, President of the Shipping Board.

Captain VÄINÖ BERGMAN, Inspector of Shipping.

Consul KARL KURTEN, Manager of the Finnish Shipowners' Association.

*Le Gouvernement du Canada:*

M. Alexander JOHNSTON, Sous-Ministre de la Marine.

M. Lucien PACAUD, Secrétaire de Haut Commissariat à Londres.

*Le Gouvernement du Danemark:*

M. Emil KROGH, Chef de Bureau au Ministère de l'Industrie, du Commerce et de la Navigation.

M. V. TOPSØE-JENSEN, Juge à la Cour Suprême.

M. le Capitaine V. LORCK, Directeur de la Navigation.

M. J. A. KÖRBING, Directeur à la Compagnie d'armement "Det Forenede Dampskibsselskab."

M. Aage H. LARSEN, Ingénieur-constructeur au Ministère de l'Industrie, du Commerce et de la Navigation.

M. Arnold POULSEN, Ingénieur au Ministère de l'Industrie, du Commerce et de la Navigation.

*Le Gouvernement de l'Espagne:*

M. le Contre-Amiral Don Francisco JAVIER DE SALAS y Gonzalez, Chef de la Commission Navale en Europe.

*Le Gouvernement de l'État Libre d'Irlande:*

M. J. W. DULANTY, Commissaire pour le Commerce de l'État Libre d'Irlande en Grande Bretagne.

M. E. C. FOSTER, Inspecteur en Chef au Service Maritime, Ministère de l'Industrie et du Commerce.

*Le Gouvernement des États-Unis d'Amérique:*

L'Honorable M. Wallace H. WHITE, Junior, Membre du Congrès, Président de la Commission de la Marine Marchande et des Pêches.

M. Arthur J. TYRER, Commissaire pour la Navigation, Département du Commerce.

M. Charles M. BARNES, Chef de la Direction des Traités, Département d'État.

M. le Contre-Amiral George H. ROCK, Corps des Constructions Navales, Chef adjoint du Service de la Construction et des Réparations, Département de la Marine.

M. le Capitaine de vaisseau Clarence S. KEMPF, United States Navy, Hydrographe, Département de la Marine.

M. Dickerson N. HOOPER, Inspecteur Général Contrôleur du Service de l'Inspection des Navires à Vapeur du Département du Commerce.

M. William D. TERRELL, Chef du Service de la Radioélectricité, Département du Commerce.

M. le Contre-Amiral en retraite John G. TAWRESEY, Corps des Constructions Navales, United States Shipping Board.

M. Herbert B. WALKER, Président de l'Association Américaine des Armateurs de Navires à Vapeur.

M. Henry G. SMITH, Président du Conseil National Américain des Constructeurs de Navires.

M. le Capitaine Charles A. McALLISTER, Président du American Bureau of Shipping.

*Le Gouvernement de la Finlande:*

M. le Baron Gustaf WREDE, Président du Shipping Board.

M. le Capitaine Väinö BERGMAN, Inspecteur de la Navigation.

M. le Consul Karl KURTEN, Directeur de l'Association Finlandaise des Armateurs.

Plenipotentiaries—  
Continued.

*The Government of France:*

Mr. RIO, Senator and former Minister.  
 Captain HAARBLEICHER, Naval Construction Corps, Director of  
 Mercantile Shipping Service, Department of Public Works.  
 Commander MARIE, Naval Construction Corps, Direction of  
 Mercantile Shipping.  
 Captain THOUROUDE, Naval Attaché to the French Embassy  
 in London.

*The Government of the United Kingdom of Great Britain and Northern  
 Ireland:*

Sir Herbert W. RICHMOND, Vice-Admiral, Royal Navy.  
 Sir Westcott ABELL, Professor of Naval Architecture, Armstrong  
 College, Newcastle-on-Tyne.  
 Mr. A. L. AYRE, Vice-President of the Shipbuilding Employers'  
 Federation.  
 Captain F. W. BATE, Professional Officer, Mercantile Marine  
 Department, Board of Trade.  
 Mr. C. H. BOYD, Mercantile Marine Department, Board of  
 Trade.  
 Sir William C. CURRIE, President of the Chamber of Shipping  
 of the United Kingdom.  
 Mr. A. J. DANIEL, Principal Ship Surveyor, Board of Trade.  
 Sir Norman HILL, Chairman of the Merchant Shipping Advisory  
 Committee.  
 Sir Charles HIPWOOD, Principal Assistant Secretary, Mercantile  
 Marine Department, Board of Trade.  
 Captain A. R. H. MORRELL, Trinity House.

*The Government of India:*

Sir Geoffrey L. CORBETT, Commerce Department, Government  
 of India.  
 Captain E. V. WHISH, Port Officer, Bombay.  
 Mr. M. A. MASTER, General Manager of the Scindia Steam  
 Navigation Company.

*The Government of Italy:*

Lieut.-General of Port G. INGIANNI, General Director of the  
 Mercantile Marine.  
 Vice-Admiral A. ALESSIO, Chief of the Technical Inspectorate  
 of the Mercantile Marine.  
 Count D. ROGERI DI VILLANOVA, Counsellor to the Italian  
 Embassy in London.  
 Dr. T. C. GIANNINI, Counsellor of Emigration.  
 Major-General of Port F. MARENA, Vice-Inspector of Harbour  
 Master Offices.  
 Engineer-General E. FERRETTI, Chief of the Technical Office of  
 the Italian Naval and Aeronautical Register.  
 Mr. G. GNEME, Chief of the Telegraph Service of the General  
 Direction of Postal and Telegraphic Services.  
 Commander L. BIANCHERI, Royal Italian Navy.

*The Government of Japan:*

Mr. Yukio YAMAMOTO, Inspector-General of the Mercantile  
 Marine Bureau, Expert in the Department of Communica-  
 tions.  
 Captain Shichihei OTA, Imperial Japanese Navy.  
 Mr. Itaro ISHII, First Class Secretary of Embassy.

*Le Gouvernement de la France:*

- M. RIO, Sénateur, Ancien Ministre.
- M. l'Ingénieur en Chef de la Marine HAARBLEICHER, Directeur des Services de la Flotte de Commerce et du Matériel Naval, Ministère des Travaux Publics.
- M. l'Ingénieur Principal de la Marine MARIE, Direction des Services de la Flotte de Commerce et du Matériel Naval.
- M. le Capitaine de Vaisseau THOUROUDE, Attaché Naval à l'Ambassade de France à Londres.

*Le Gouvernement du Royaume Uni de Grande-Bretagne et d'Irlande du Nord:*

- M. le Vice-Amiral Sir Herbert W. RICHMOND, Royal Navy.
- Sir Westcott ABELL, Professeur de Construction Navale, Armstrong College, Newcastle-on-Tyne.
- M. A. L. AYRE, Vice-Président de la Fédération des Constructeurs de Navires.
- M. le Capitaine F. W. BATE, Conseiller Nautique, Mercantile Marine Department, Board of Trade.
- M. C. H. BOYD, Mercantile Marine Department, Board of Trade.
- Sir William C. CURRIE, Président de la Chamber of Shipping of the United Kingdom.
- M. A. J. DANIEL, Principal Ship Surveyor, Board of Trade.
- Sir Norman HILL, Président du Merchant Shipping Advisory Committee.
- Sir Charles HIPWOOD, Principal Assistant Secretary, Mercantile Marine Department, Board of Trade.
- M. le Capitaine A. R. H. MORRELL, Trinity House.

*Le Gouvernement de l'Inde:*

- Sir Geoffrey L. CORBETT, Département de Commerce, Gouvernement de l'Inde.
- M. le Capitaine E. V. WHISH, Officier de Port, Bombay.
- M. M. A. MASTER, Directeur Général de la Scindia Steam Navigation Company.

*Le Gouvernement de l'Italie:*

- M. le Lieutenant Général de Port G. INGIANNI, Directeur Général de la Marine Marchande.
- M. le Vice-Amiral A. ALESSIO, Chef de l'Inspection Technique de la Marine Marchande.
- Count D. ROGERI DI VILLANOVA, Conseiller de Légation à l'Ambassade à Londres.
- M. le Docteur T. C. GIANNINI, Conseiller d'Émigration.
- M. le Major-Général de port F. MARENA, Vice-Inspecteur des Capitaineries de port.
- M. l'Ingénieur-Général E. FERRETTI, Chef du Bureau Technique du Régistre Naval et Aéronautique Italien.
- M. G. GNEME, Chef de Service aux Télégraphes, Direction Générale des Postes et des Télégraphes.
- M. le Capitaine de frégate L. BIANCHERI, Royal Italian Navy.

*Le Gouvernement du Japon:*

- M. Yukio YAMAMOTO, Inspecteur Général au Bureau de la Marine Marchande, Expert au Département des Communications.
- M. le Capitaine de vaisseau Shichihei OTA, Imperial Japanese Navy.
- M. Itaro ISHII, Secrétaire d'Ambassade de première classe.

Plenipotentiaries—  
Continued.

*The Government of Norway:*

- Mr. B. VOGT, Norwegian Minister in London.  
 Mr. L. T. HANSEN, Director of the Department of Shipping,  
 Ministry of Commerce and Navigation.  
 Mr. J. SCHÖNHEYDER, Surveyor-in-Chief of the Ship and En-  
 gineer Division, Ministry of Commerce and Navigation.  
 Mr. Arth H. MATHIESEN, Vice-President of the Norwegian Ship-  
 owners' Association.  
 Captain N. MARSTRANDER, Chairman of the Board of the Nor-  
 wegian Masters' Association.  
 Mr. A. BIRKELAND, Manager of the Norwegian Seamen's and  
 Firemen's Union.

*The Government of the Netherlands:*

- Vice-Admiral C. FOCK, Inspector-General of Navigation.  
 Mr. C. H. DE GOEJE, Ex-Inspector-General of Navigation,  
 Netherland East Indies.  
 Mr. A. VAN DRIEL, Adviser on Naval Architecture, Shipping In-  
 spection Service.  
 Mr. J. A. BLAND VAN DEN BERG, Inspector of Coastal and Ships'  
 Radiotelegraphy.  
 Mr. Phs. VAN OMMEREN, Junior, Chairman of Phs. van Ommeren,  
 Ltd.  
 Mr. H. G. J. UILKENS, Ex-Commodore of the Netherland Steam-  
 ship Company.

*The Government of Sweden:*

- Baron PALMSTIERNA, Swedish Minister in London.  
 Mr. Nils Gustaf NILSSON, Assistant Under-Secretary in the  
 Board of Trade.  
 Captain Erik Axel Fredrik EGGERT, Maritime Expert to the  
 Social Board.

*The Government of the Union of Socialist Soviet Republics:*

- Mr. Jan Lvovitch ARENS, Counsellor to the U. S. S. R. Embassy  
 in Paris.  
 Captain Karl Pavlovitch EGGI, Commander of the Icebreaker  
 "Lenin," Soviet Merchant Fleet (Sovtorgflot).

Who, having communicated their full powers, found in good and  
 due form, have agreed as follows:—

Chapter I.—Prelim-  
inary.

## CHAPTER I.—PRELIMINARY.

### ARTICLE 1.

Purpose.

THE Contracting Governments undertake to give effect to the pro-  
 visions of the present Convention for the purpose of promoting safety  
 of life at sea, to promulgate all regulations and to take all other steps  
 which may be necessary to give the present Convention full and com-  
 plete effect.

Regulations.  
Post, p. 1188.

References.

The provisions of the present Convention are completed by Regu-  
 lations contained in Annex I, which have the same force and take  
 effect at the same time as the present Convention. Every reference  
 to the present Convention implies at the same time a reference to the  
 Regulations annexed thereto.

*Le Gouvernement de la Norvège:*

- M. B. VOGT, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres.
- M. L. T. HANSEN, Directeur du Département de la Marine, Ministère du Commerce et de la Navigation.
- M. J. SCHÖNHEYDER, Contrôleur en chef de la Ship and Engineer Division, Ministère du Commerce et de la Navigation.
- M. ARTH H. MATHIESEN, Vice-Président de l'Association Norvégienne des Armateurs.
- M. le Capitaine N. MARSTRANDER, Président du Bureau de l'Association Norvégienne des Capitaines de Navire.
- M. A. BIRKELAND, Directeur de l'Union Norvégienne des Marins et des Chauffeurs.

*Le Gouvernement des Pays-Bas:*

- M. le Vice-Amiral C. FOCK, Inspecteur-Général de la Navigation.
- M. C. H. DE GOEJE, Ex-Inspecteur-Général de la Navigation, Indes Néerlandaises.
- M. A. VAN DRIEL, Conseiller de Construction Navale, Service de l'Inspection Maritime.
- M. J. A. BLAND VAN DEN BERG, Inspecteur de la Radiotélégraphie Côtière et Maritime.
- M. PHS. VAN OMMEREN, Junior, Président de la PHS. van Ommersen, Ltd.
- M. H. G. J. UILKENS, Ex-Commodore de la Netherland Steamship Company.

*Le Gouvernement de la Suède:*

- M. le Baron PALMSTIERNA, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres.
- M. Nils Gustaf NILSSON, Chef de Section à l'Administration Centrale du Commerce.
- M. le Capitaine Erik Axel Fredrik EGGERT, Expert pour les Affaires Maritimes de l'Administration Centrale du Travail et de la Prévoyance Sociale.

*Le Gouvernement de l'Union des Républiques Soviétistes Socialistes:*

- M. Jan Lvovitch ARENS, Conseiller de l'Ambassade de l'U. R. S. S. à Paris.
- M. le Capitaine Karl Pavlovitch EGGI, Commandant du Brise-glace "Lenin," Soviet Merchant Fleet (Sovtorgflot).

qui, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

## CHAPITRE I.—PRÉLIMINAIRES.

## ARTICLE 1.

Les Gouvernements contractants s'engagent à appliquer les dispositions de la présente Convention, en vue d'encourager la sauvegarde de la vie humaine en mer, à édicter tous règlements et à prendre toutes autres mesures propres à lui faire produire son plein et entier effet.

Les dispositions de la présente Convention sont complétées par un Règlement contenu dans l'annexe I qui a la même valeur et entre en vigueur en même temps que la présente Convention. Toute référence à la présente Convention implique référence simultanée au Règlement y annexé.

## ARTICLE 2.

*Applications and Definitions.*

Applications and definitions.

1. The provisions of the present Convention shall apply to ships belonging to countries the Governments of which are Contracting Governments, and to ships belonging to territories to which the present Convention is applied under Article 62, as follows:—

*Post*, p. 1182.

Construction; *post*, p. 1132.

Chapter II.—(*Construction*) to passenger ships (mechanically propelled) on international voyages.

Life-saving appliances; *post*, p. 1138.

Chapter III.—(*Life-saving Appliances*) to passenger ships (mechanically propelled) on international voyages.

Radiotelegraphy; *post*, p. 1146.

Chapter IV.—(*Radiotelegraphy*) to all ships engaged on international voyages except cargo ships of less than 1,600 tons gross tonnage.

Safety of navigation; *post*, p. 1160.

Chapter V.—(*Safety of Navigation*) to all ships on all voyages.

Certificates; *post*, p. 1172.

Chapter VI.—(*Certificates*) to all the ships to which Chapters II, III and IV apply.

Classes of ships, etc.

2. The classes of ships to which each Chapter applies are more precisely defined, and the extent of the application is shown, in each Chapter.

3. In the present Convention, unless expressly provided otherwise—

Ship nationality.

(a) a ship is regarded as belonging to a country if it is registered at a port of that country;

Administration.

(b) the expression "Administration" means the Government of the country in which the ship is registered;

International voyage.

(c) an international voyage is a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every colony, overseas territory, protectorate or territory under suzerainty or mandate is regarded as a separate country;

Passenger ship.

(d) a ship is a passenger ship if it carries more than 12 passengers;

Regulations.  
*Post*, p. 1188.

(e) the expression "Regulations" means the Regulations contained in Annex I.

Ships of war.

4. The present Convention, unless expressly provided otherwise, does not apply to ships of war.

## ARTICLE 3.

*Cases of "Force Majeure".*

Cases of force majeure.

No ship, which is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other cause of *force majeure*.



## ARTICLE 2.

*Applications et définitions.*

1. Les dispositions de la présente Convention s'appliquent dans les conditions suivantes aux navires appartenant à un pays dont le Gouvernement est un Gouvernement contractant et aux navires appartenant aux contrées auxquelles la présente Convention s'applique en vertu de l'Article 62:

Chapitre II.—(*Construction*): aux navires à passagers (à propulsion mécanique) lorsqu'ils effectuent des voyages internationaux.

Chapitre III.—(*Engins de Sauvetage*): aux navires à passagers (à propulsion mécanique) lorsqu'ils effectuent des voyages internationaux.

Chapitre IV.—(*Radiotélégraphie*): à tous les navires qui effectuent des voyages internationaux à l'exception des navires de charge de moins de 1,600 tonneaux de jauge brute.

Chapitre V.—(*Sécurité de la Navigation*): à tous les navires quel que soit le genre de voyages.

Chapitre VI.—(*Certificats*): à tous les navires auxquels s'appliquent les chapitres II, III et IV.

2. Chacun des Chapitres définit avec plus de précision les catégories de navires auxquels il s'applique ainsi que le champ des dispositions qui leur sont applicables.

3. Dans la présente Convention, à moins d'indications expresses contraires:

(a) un navire est considéré comme appartenant à un pays lorsqu'il est immatriculé dans un port de ce pays;

(b) l'expression "Administration" désigne le Gouvernement du pays où le navire est immatriculé;

(c) un voyage international est un voyage entre un pays auquel la présente Convention s'applique et un port situé en dehors de ce pays, ou inversement; toute colonie, territoire d'outre-mer, protectorat ou territoire placé sous suzeraineté ou mandat est considéré à cet égard comme un pays distinct.

(d) un navire est considéré comme un navire à passagers s'il transporte plus de 12 passagers;

(e) l'expression "Règles" désigne les Règles contenues dans l'Annexe I.

4. La présente Convention, à moins d'indication expresse contraire, ne s'applique pas aux navires de guerre.

## ARTICLE 3.

*Cas de force majeure.*

S'il n'est pas soumis au moment de son départ pour un voyage quelconque, aux prescriptions de la présente Convention, aucun navire ne doit être astreint à ces prescriptions à raison d'un déroutement quelconque au cours de son voyage si ce déroutement est occasionné par le mauvais temps ou par toute autre cause de force majeure.

Persons who are on board a ship by reason of *force majeure* or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of ascertaining the application to a ship of any provisions of the present Convention.

Chapter II.—Construction.

## CHAPTER II.—CONSTRUCTION.

### ARTICLE 4.

Application.

#### *Application.*

New passenger ships on international voyages.

1. This Chapter, except where it is otherwise expressly provided, applies to new passenger ships engaged on international voyages.

Definition.

2. A new passenger ship is a ship the keel of which is laid on or after the 1st July, 1931, or a ship which is converted to passenger service on or after that date, all other passenger ships being described as existing passenger ships.

Exemptions in certain cases.

3. Each Administration may, if it considers that the route and the conditions of the voyage are such as to render the application of the requirements of this Chapter unreasonable or unnecessary, exempt from the requirements of this Chapter individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

Relaxations.  
*Post*, p. 1204.

4. In the case of a passenger ship which, in the course of its voyage, does not proceed more than 200 miles from the nearest land, the Administration of the country to which the ship belongs may allow relaxations from such of the requirements of Regulations IX, X, XV and XIX as may be proved to the satisfaction of the Administration to be neither reasonable nor practicable.

Modification of existing ships.

5. In the case of existing passenger ships engaged on international voyages which do not already comply with the provisions of this Chapter relating to new passenger ships, the arrangements on each ship shall be considered by the Administration of the country to which the ship belongs, with a view to improvements being made to provide increased safety where practicable and reasonable.

Pilgrim, etc., trades.

6. In the case of passenger ships engaged on international voyages which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade, an Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements on the following conditions:—

Les personnes qui se trouvent à bord d'un navire par raison de force majeure ou qui s'y trouvent par suite de l'obligation imposée au capitaine de transporter soit des naufragés, soit d'autres personnes, ne doivent pas entrer en ligne de compte lorsqu'il s'agit de vérifier l'application au navire d'une prescription quelconque de la présente Convention.

## CHAPITRE II.—CONSTRUCTION.

### ARTICLE 4.

#### *Navires auxquels s'applique ce Chapitre.*

1. Le présent Chapitre s'applique, sauf dans les cas où il en est autrement disposé, aux navires à passagers neufs, affectés à des voyages internationaux.

2. Un navire à passagers neuf est un navire dont la quille a été posée le 1<sup>er</sup> juillet 1931 ou postérieurement ou qui est transformé pour être affecté à un service de passagers à cette date ou postérieurement. Tous les autres navires à passagers sont considérés comme navires à passagers existants.

3. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont de nature à ne rendre l'application des prescriptions du présent Chapitre ni raisonnable ni nécessaire, dispenser de ces prescriptions des navires ou des catégories de navires, appartenant à ce pays, qui, au cours de leur voyage, ne s'éloignent pas de plus de 20 milles marins de la terre la plus proche.

4. Dans le cas où un navire à passagers ne s'éloigne pas, au cours de son voyage, de plus de 200 milles marins de la terre la plus proche, l'Administration à laquelle appartient le navire peut accorder des atténuations aux prescriptions des Règles IX, X, XV et XIX si la preuve peut être faite à la satisfaction de l'Administration que l'application de ces prescriptions n'est ni raisonnable ni pratiquement réalisable.

5. Dans le cas de navires à passagers existants effectuant des voyages internationaux et ne satisfaisant pas déjà aux prescriptions du présent Chapitre relatives aux navires à passagers neufs, les mesures à prendre pour chaque navire seront déterminées par l'Administration du pays auquel il appartient, de manière à obtenir une sécurité plus grande sur les points où cela sera pratiquement réalisable et raisonnable.

6. Dans le cas de navires à passagers effectuant des voyages internationaux, qui sont utilisés à des transports spéciaux d'un grand nombre de passagers sans installation de couchettes, comme par exemple, le transport de pèlerins, toute Administration d'un pays peut, si elle juge qu'il est pratiquement impossible d'appliquer les prescriptions du présent Chapitre, dispenser ceux de ces navires qui appartiennent à ce pays des prescriptions en question, sous les conditions suivantes:

(a.) That the fullest provision which the circumstances of the trade will permit shall be made in the matter of construction.

(b.) That steps shall be taken to formulate general rules which shall be applicable to the particular circumstances of these trades. Such rules shall be formulated in concert with such other Contracting Governments, if any, as may be directly interested in the carriage of such passengers.

Ships not included.

7. This Chapter does not apply to ships which are not mechanically propelled or to wooden ships of primitive build, such as dhows, junks, &c.

## ARTICLE 5.

### *Watertight Subdivision of Ships.*

Watertight subdivision of ships.

1. Ships shall be as efficiently subdivided as is possible having regard to the nature of the service for which they are intended. The requirements respecting subdivision are given in the following Articles and in the Regulations.

Degree.

2. The degree of subdivision provided for by these requirements varies with the length of the ship and with the service, in such manner that the highest degree of subdivision corresponds with the ships of greatest length primarily engaged in the carriage of passengers.

Method of determination.  
Post, p. 1188.

3. Regulations I to V indicate the method to be followed in order to determine the degree of subdivision applicable to a ship.

Subdivision loadlines.

4. In order that the required degree of subdivision shall be maintained, a loadline corresponding to the approved subdivision draft shall be assigned and marked on the ship's sides. A ship having spaces which are specially adapted for the accommodation of passengers and the carriage of cargo alternatively may, if the owners desire, have one or more additional loadlines assigned and marked to correspond with the subdivision drafts which the Administration may approve for the alternative service conditions. The freeboard corresponding to each approved subdivision loadline, and the conditions of service for which it is approved, shall be clearly indicated on the Safety Certificate. Subdivision loadlines shall be marked and recorded in the manner provided in Regulation VII.

Post, p. 1200.

## ARTICLE 6.

### *Peak and Machinery Space Bulkheads, Shaft Tunnels, &c.*

Peak and machinery space bulkheads, shaft tunnels, etc.  
Post, p. 1200.

All ships shall be fitted with watertight forward and after peak bulkheads and with watertight bulkheads at the extremities of the machinery space, and, in screw ships, with watertight shaft tunnels or equivalent subdivision in accordance with the provisions of Regulation VI.

(a.) On doit appliquer dans la plus large mesure compatible avec les circonstances du trafic, les prescriptions relatives à la construction.

(b.) Des mesures doivent être prises pour formuler des prescriptions générales qui devront s'appliquer au cas particulier de ce genre de trafic. Ces prescriptions doivent être formulées d'accord avec ceux des autres Gouvernements contractants, s'il y en a, qui pourraient être directement intéressés au transport de ces passagers.

7. Le présent Chapitre ne s'applique pas aux navires dépourvus de propulsion mécanique, ni aux navires en bois de construction primitive tels que dhows, jonques, &c.

#### ARTICLE 5.

##### *Compartimentage étanche des Navires.*

1. Les navires doivent être compartimentés aussi efficacement que possible, eu égard à la nature du service auquel ils sont destinés. Les prescriptions relatives au compartimentage sont fixées par les Articles et par les Règles qui suivent.

2. Le degré de compartimentage assuré par l'application de ces Règles varie avec la longueur du navire et le service auquel il est destiné, de telle manière que le degré de compartimentage le plus élevé corresponde aux plus longs navires essentiellement affectés au transport des passagers.

3. Les Règles I à V indiquent la méthode à suivre pour déterminer le degré de compartimentage applicable à un navire.

4. Pour que le degré de compartimentage requis soit respecté, une ligne de charge, correspondant au tirant d'eau qui aura été approuvé comme répondant au compartimentage, sera assignée au navire et marquée sur le bordé extérieur. S'il existe sur le navire des espaces spécialement disposés pour servir à volonté, soit d'emménagements pour passagers, soit de locaux à marchandises, on pourra, à la demande de l'armateur, lui assigner et tracer sur le bordé extérieur, une ou plusieurs lignes de charge additionnelles, correspondant aux divers tirants d'eau de compartimentage que l'Administration jugera répondre aux différentes conditions de service. Le franc-bord correspondant à chacune de ces lignes de charge et les conditions de service pour lesquelles il est accepté seront indiqués d'une façon précise sur le certificat de sécurité. Les lignes de charge de compartimentage doivent être marquées et inscrites suivant la méthode prescrite par la Règle VII.

#### ARTICLE 6.

##### *Cloisons des Extrémités, Cloisons de la Tranche des Machines, Tunnels des Lignes d'arbres, &c.*

Il doit exister dans tous les navires des cloisons étanches aux extrémités avant et arrière, et aux extrémités de la tranche des machines et dans les navires à hélice il doit y avoir des tunnels étanches pour les lignes d'arbres, ou un compartimentage équivalent, le tout conformément aux prescriptions de la Règle VI.

## ARTICLE 7.

*Construction, Testing, &c.*

Regulations VIII to XIII and XV to XXI prescribe rules for—

(a) the construction and testing of subdivision bulkheads, inner bottoms, watertight decks, trunks, ventilators, fire-resisting bulkheads, &c.;

(b) the conditions governing openings in bulkheads, in the ship's sides and in the weather deck, and the character and use of means which shall be provided for closing these openings;

(c) the tests and the periodical inspections and operation of the means of closing openings in bulkheads and in the ship's side;

(d) exits from watertight compartments;

(e) pumping arrangements; and

(f) power for going astern and auxiliary steering apparatus.

## ARTICLE 8.

*Stability Test.*

Stability test.

Every new passenger ship shall be inclined upon its completion and the elements of its stability determined. The operating personnel shall be supplied with such information on this subject as is necessary to permit efficient handling of the ship.

## ARTICLE 9.

*Entries in the Official Log Book.*

Official log book.

Entries.

A record of the closing and opening of watertight doors, &c., and of all inspections and drills, shall be entered in the official log book as required by Regulation XIV.

Post, p. 1216.

## ARTICLE 10.

*Initial and Subsequent Surveys of Ships.*

Initial and subsequent surveys of ships.

Post, p. 1224.

The general principles which shall govern the survey of ships, whether new or existing, as regards hull, main and auxiliary boilers and machinery, and equipments, are stated in Regulation XXII. Each Contracting Government undertakes—

(1) to draw up detailed regulations in accordance with these general principles, or to bring its existing regulations into agreement with these principles;

(2) to secure that these regulations shall be enforced.

The detailed regulations referred to in the preceding paragraph shall be in all respects such as to secure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.

## ARTICLE 7.

*Construction, Épreuves, &c.*

Les Règles VIII à XIII incluses et les Règles XV à XXI incluses contiennent les prescriptions relatives:—

(a) à la construction et aux épreuves des cloisons de compartimentage, double-fonds, ponts étanches, panneaux de descente, conduits de ventilation, cloisons d'incendie, &c.;

(b) aux ouvertures dans les cloisons, dans la muraille des navires et dans le pont exposé à la mer, le type des moyens de fermetures qui doit être employé pour les clore et l'emploi qui doit en être fait;

(c) aux épreuves, aux inspections périodiques et aux manœuvres périodiques des moyens de fermeture des ouvertures dans les cloisons étanches et dans la muraille du navire;

(d) aux moyens de sortie des compartiments étanches;

(e) aux dispositifs de pompage; et

(f) à la puissance disponible pour la marche arrière et à l'appareil à gouverner auxiliaire.

## ARTICLE 8.

*Essai de Stabilité.*

Sur tout navire à passagers neuf, il sera fait, à son achèvement, un essai de stabilité et on déterminera les éléments de cette stabilité. Le personnel chargé d'utiliser le navire recevra, à ce sujet, tous les renseignements qui peuvent lui servir pour le manœuvrer convenablement.

## ARTICLE 9.

*Mentions au Journal de bord.*

Mention doit être faite au journal de bord de la fermeture et de l'ouverture des portes étanches, &c., ainsi que de tous les exercices et inspections, dans la mesure spécifiée à la Règle XIV.

## ARTICLE 10.

*Inspections initiales et subséquentes des Navires.*

Les principes généraux qui doivent régir l'inspection des navires neufs ou existants en ce qui concerne la coque, les chaudières et machines principales et auxiliaires, et l'équipement, sont établis par la Règle XXII. Chaque Gouvernement contractant s'engage:

(1) à édicter des règlements détaillés en conformité de ces principes généraux, ou à modifier sa réglementation existante de façon à la mettre d'accord avec ces principes;

(2) à assurer l'application de ces règlements.

D'une façon générale, les règlements de détail visés au paragraphe précédent doivent être établis de manière qu'au point de vue de la sauvegarde de la vie humaine, le navire soit approprié au service auquel il est destiné.

Chapter III.—Life-saving appliances, etc.

## CHAPTER III.—LIFE-SAVING APPLIANCES, &c.

### ARTICLE 11.

Interpretation.

#### *Interpretation.*

For the purposes of this Chapter—

“New ship.”

(a) the expression “new ship” means a ship the keel of which is laid on or after the 1st July, 1931, all other ships being described as existing ships;

“Short international voyage.”

(b) the expression “short international voyage” means an international voyage in the course of which a ship is not more than 200 miles from the nearest land;

“Buoyant apparatus.”

(c) the expression “buoyant apparatus” means buoyant deck seats, or buoyant deck chairs, or any other buoyant apparatus excepting boats, life-buoys and life-jackets.

### ARTICLE 12.

Application.

#### *Application.*

New mechanically-propelled passenger ships on international voyages.

1. This Chapter, except where it is otherwise expressly provided, applies to new passenger ships which are mechanically propelled and engaged on international voyages.

Short international voyages.

2. Special provisions are laid down in Articles 13, 14, 19 and 25 with regard to new passenger ships engaged on short international voyages.

Exemptions.

3. Each Administration, if it considers that the route and the conditions of the voyage are such as to render the application of the full requirements of this Chapter unreasonable or unnecessary, may to that extent exempt from the requirements of this Chapter individual ships or classes of ships belonging to its country which, in the course of their voyage, do not go more than 20 miles from the nearest land.

Provisions for securing compliance with requirements.

4. In the case of existing passenger ships which are mechanically propelled and engaged on international voyages and which do not already comply with the provisions of this Chapter relating to new passenger ships, the arrangements on each ship shall be considered by the Administration of the country to which the ship belongs, with a view to securing, so far as this is practicable and reasonable, compliance with the general principles set out in Article 13 not later than the 1st July, 1931, and substantial compliance with the other requirements of this Chapter.

Exemptions.

5. In the case of passenger ships which are mechanically propelled and engaged on international voyages and which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade, an Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements on the following conditions:—

(a.) That the fullest provision which the circumstances of the trade will permit shall be made in the matter of lifeboats and other life-saving appliances and fire protection.



## CHAPITRE III.—ENGINS DE SAUVETAGE, &amp;c.

## ARTICLE 11.

*Définitions.*

Dans ce chapitre:

(a) l'expression "navire neuf" désigne un navire dont la quille a été posée le 1<sup>er</sup> juillet 1931 ou après cette date; tous les autres navires sont qualifiés "navires existants";

(b) l'expression "voyage international court" désigne un voyage international au cours duquel le navire ne s'éloigne pas de plus de 200 milles de la terre la plus proche;

(c) l'expression "engin flottant" désigne les sièges de pont flottants, chaises de pont flottantes ou tout autre engin flottant à l'exception des embarcations, brassières de sauvetage et bouées de sauvetage.

## ARTICLE 12.

*Application.*

1. Le présent Chapitre s'applique, sauf dans les cas où il en est autrement disposé, aux navires à passagers neufs à propulsion mécanique effectuant des voyages internationaux.

2. Des prescriptions spéciales sont énoncées dans les Articles 13, 14, 19 et 25 pour les navires à passagers neufs effectuant des voyages internationaux courts.

3. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont de nature à ne rendre l'application de la totalité des prescriptions du présent Chapitre ni raisonnable ni nécessaire, dispenser de ces prescriptions dans la mesure correspondante des navires déterminés ou des catégories de navires appartenant à ce pays et qui, au cours de leur voyage, ne s'éloignent pas de plus de 20 milles de la terre la plus proche.

4. Dans le cas de navires à passagers existants à propulsion mécanique effectuant des voyages internationaux et ne satisfaisant pas, actuellement, aux prescriptions du présent Chapitre relatives aux navires à passagers neufs, les mesures à prendre pour chaque navire doivent être déterminées par l'Administration du pays auquel il appartient, de manière à obtenir, autant que cela sera pratiquement possible et raisonnable, l'application, au plus tard pour le 1<sup>er</sup> juillet 1931, des principes généraux posés dans l'Article 13, et une application convenable des autres prescriptions du présent Chapitre.

5. Pour les navires à passagers à propulsion mécanique effectuant des voyages internationaux, qui sont utilisés à des transports spéciaux d'un grand nombre de passagers sans installation de couchettes, comme, par exemple, le transport de pèlerins, une Administration peut, si elle juge qu'il est pratiquement impossible d'appliquer les prescriptions du présent Chapitre, dispenser ces navires des prescriptions en question, sous les conditions suivantes:

(a.) On doit appliquer, dans la plus large mesure compatible avec les circonstances du trafic, les prescriptions relatives aux embarcations de sauvetage et aux autres engins de sauvetage ainsi qu'à la protection contre l'incendie.

(b.) That all such boats and apparatus shall be readily available within the meaning of Article 13.

(c.) That a life-jacket shall be provided for every person on board.

(d.) That steps shall be taken to formulate general rules which shall be applicable to the particular circumstances of these trades. Such rules shall be formulated in concert with such other Contracting Governments, if any, as may be directly interested in the carriage of such passengers.

#### ARTICLE 13.

##### *Lifeboats and Buoyant Apparatus.*

Lifeboats and buoyant apparatus.

The general principles governing the provision of lifeboats and buoyant apparatus in a ship to which this Chapter applies are that they shall be readily available in case of emergency and shall be adequate.

1. To be readily available, the lifeboats and buoyant apparatus must comply with the following conditions:—

(a.) They must be capable of being got into the water safely and rapidly even under unfavourable conditions of list and trim.

(b.) It must be possible to embark the passengers in the boats rapidly and in good order.

(c.) The arrangement of each boat and article of buoyant apparatus must be such that it will not interfere with the operation of other boats and buoyant apparatus.

2. To be adequate, the provision of lifeboats and buoyant apparatus must satisfy the following conditions:—

(a.) Subject to the provisions of sub-paragraph (b) of this paragraph there must be accommodation in boats for all persons on board, and there must, in addition, be buoyant apparatus for 25 per cent. of the persons on board.

(b.) In the case of passenger ships engaged on short international voyages, the boats must be provided in accordance with the requirements set out in the table in Regulation XXXIX, and there must be, in addition, buoyant apparatus so that the boats and buoyant apparatus together provide accommodation for all on board as set out in Regulation XXXVIII. There must, in addition, be buoyant apparatus for 10 per cent. of the persons on board.

*Post*, p. 1252.

(c.) No more boats shall be required on any passenger ship than are sufficient to accommodate all persons on board.

#### ARTICLE 14.

##### *Ready Availability and Adequacy.*

Ready availability and adequacy.

Arrangements for securing.

The arrangements for securing the principles of ready availability and adequacy mentioned in Article 13 shall be in accordance with the provisions of Regulations XXXVII, XXXVIII and XXXIX.

*Post*, p. 1246.

(b.) Toutes ces embarcations et tous ces engins de sauvetage doivent être rapidement disponibles dans le sens de l'Article 13.

(c.) Il doit y avoir une brassière de sauvetage pour chaque personne présente à bord.

(d.) Des dispositions doivent être prises, pour formuler des prescriptions générales qui doivent s'appliquer au cas particulier de ce genre de trafic. Ces prescriptions doivent être formulées d'accord avec ceux des autres Gouvernements contractants, s'il y en a, qui peuvent être directement intéressés au transport de ces passagers.

#### ARTICLE 13.

##### *Embarcations de Sauvetage et Engins flottants.*

Les principes généraux qui règlent l'armement en embarcations de sauvetage et en engins flottants d'un navire régi par le présent Chapitre sont qu'ils doivent être promptement disponibles en cas d'urgence et qu'ils doivent être adéquats.

1. Pour être promptement disponibles, les embarcations de sauvetage et engins flottants doivent remplir les conditions suivantes:

(a.) On doit pouvoir les mettre à l'eau sûrement et rapidement, même dans des conditions défavorables de bande et d'assiette.

(b.) Il doit être possible d'embarquer les passagers dans les embarcations rapidement et en bon ordre.

(c.) L'installation de chaque embarcation et de chaque engin flottant doit être telle qu'elle ne gêne pas la manœuvre des autres embarcations ou engins flottants.

2. Pour être adéquat, l'armement du navire en embarcations de sauvetage et engins flottants doit réaliser les conditions suivantes:

(a.) Sous réserve des prescriptions de l'alinéa (b) du présent paragraphe, il doit y avoir dans les embarcations une place pour chaque personne présente à bord, et, en outre, des engins flottants pour 25 pour cent des personnes présentes à bord.

(b.) Dans le cas de navires à passagers effectuant des voyages internationaux courts, des embarcations doivent être installées de façon à satisfaire aux prescriptions insérées au tableau qui figure à la Règle XXXIX; en outre, il doit y avoir des engins flottants en quantité telle que l'ensemble des embarcations et des engins flottants puisse recevoir le total des personnes présentes à bord, ainsi qu'il est dit à la Règle XXXVIII. Enfin, il doit y avoir, en plus, des engins flottants pour 10 pour cent des personnes présentes à bord.

(c.) Sur aucun navire à passagers, il ne peut être exigé plus d'embarcations qu'il n'est nécessaire pour recevoir toutes les personnes présentes à bord.

#### ARTICLE 14.

##### *Conditions pour que les Engins de Sauvetage soient promptement disponibles et adéquats.*

Afin de réaliser les principes établis à l'Article 13 pour que les engins de sauvetage soient promptement disponibles et adéquats, ceux-ci doivent satisfaire aux prescriptions des Règles XXXVII, XXXVIII et XXXIX.

## ARTICLE 15.

*Standard types of Boats. Life Rafts. Buoyant Apparatus.*

Lifeboats, rafts, and  
buoyant apparatus.

Standard types.  
*Post*, p. 1228.

All the lifeboats, life rafts and buoyant apparatus shall comply with the conditions fixed by this Convention and Regulations XXIV to XXIX.

## ARTICLE 16.

*Construction of Boats.*

Construction of  
boats.

All boats must be properly constructed, and shall be of such form and proportion that they shall have ample stability in a seaway, and sufficient freeboard when loaded with their full complement of persons and equipment.

Each boat must be of sufficient strength to enable it to be safely lowered into the water when loaded with its full complement of persons and equipment.

## ARTICLE 17.

*Embarkation of the Passengers in the Boats.*

Passenger embarkation.

Suitable arrangements shall be made for embarking the passengers in the boats at an embarkation deck. There shall also be a suitable ladder provided at each set of davits.

## ARTICLE 18.

*Capacity of Boats and Life Rafts.*

Capacity of boats  
and life rafts.

The number of persons that a boat of one of the standard types or an approved life raft or buoyant apparatus can accommodate and the conditions of approval of life rafts and buoyant apparatus shall be ascertained in accordance with the provisions of Regulations XXX to XXXV inclusive.

*Post*, p. 1236.

## ARTICLE 19.

*Equipment of Boats and Life Rafts.*

Equipment.  
*Post*, p. 1244.

Regulation XXXVI prescribes the equipment for boats and life rafts.

## ARTICLE 20.

*Life-jackets and Life-buoys.*

Life-jackets and life-buoys.

1. Every ship to which this Chapter applies shall carry for every person on board a life-jacket of a type approved by the Administration, and in addition, unless these life-jackets can be adapted for use by children, a sufficient number of life-jackets suitable for children.

Type.  
*Post*, p. 1254.

2. Every such ship shall also carry life-buoys of a type approved as aforesaid to the number required by Regulation XL.

## ARTICLE 15.

*Types réglementaires d'Embarcations. Radeaux de Sauvetage. Engins flottants.*

Toutes les embarcations de sauvetage, les radeaux de sauvetage et les engins flottants doivent satisfaire aux conditions fixées par la présente Convention, ainsi que par les Règles XXIV à XXIX inclus.

## ARTICLE 16.

*Construction des Embarcations.*

Toutes les embarcations doivent être bien construites et avoir des formes et des proportions qui leur assurent une large stabilité à la mer et un franc bord suffisant, lorsqu'elles sont en charge avec toutes les personnes qu'elles doivent recevoir et tout leur armement.

Chaque embarcation doit présenter une solidité suffisante pour pouvoir sans danger être mise à l'eau avec son plein chargement en personnes et en armement.

## ARTICLE 17.

*Accès des Passagers aux Embarcations.*

Des dispositions convenables doivent être prises pour permettre l'accès des passagers, d'un pont d'embarquement, dans les embarcations. Il doit y avoir en outre une échelle convenable à chaque paire de bossoirs.

## ARTICLE 18.

*Capacité des Embarcations et Radeaux de Sauvetage.*

Le nombre de personnes qu'une embarcation d'un des types réglementaires ou un radeau de sauvetage approuvé ou un engin flottant peut recevoir et les conditions auxquelles un radeau de sauvetage ou un engin flottant peut être approuvé sont déterminés conformément aux prescriptions des Règles XXX à XXXV inclus.

## ARTICLE 19.

*Armement des embarcations et radeaux de sauvetage.*

La Règle XXXVI fixe l'armement des embarcations et des radeaux de sauvetage.

## ARTICLE 20.

*Brassières de Sauvetage et Bouées de Sauvetage.*

1. Tous les navires auxquels s'applique le présent chapitre doivent avoir, pour chaque personne présente à bord, une brassière de sauvetage d'un type approuvé par l'Administration et, en outre, un nombre convenable de brassières spéciales pour enfants à moins que les brassières précédentes ne puissent être ajustables à la taille des enfants.

2. Tous ces navires doivent également avoir des bouées de sauvetage d'un type approuvé comme ci-dessus, et dont le nombre est fixé par la Règle XL.

*Post*, p. 1254.

3. A life-jacket or life-buoy shall not be approved by an Administration unless it satisfies the requirements of Regulation XL applicable to life-jackets and life-buoys respectively.

4. In this Article the expression "life-jacket" includes any appliance capable of being fitted on the body, having the same buoyancy as a life-jacket.

#### ARTICLE 21.

##### *Means of Ingress and Egress. Emergency Lighting.*

Ingress and egress.

1. Proper arrangements shall be made for ingress to and egress from the different compartments, decks, &c.

Emergency lighting.

2. Provision shall be made for an electric or other system of lighting, sufficient for all requirements of safety, in the different parts of the ship, and particularly upon the decks on which the lifeboats are stowed. On ships in which the boat deck is more than 9·15 metres (30 feet) above the waterline at the lightest seagoing draught, provision shall be made for the illumination from the ship of the lifeboats when alongside and in process of or immediately after being launched. There must be a self-contained source capable of supplying, when necessary, this safety lighting system, and placed in the upper parts of the ship above the bulkhead deck.

Lighting exits, etc.

3. The exit from every main compartment occupied by passengers or crew shall be continuously lighted by an emergency lamp. The power for these emergency lamps shall be so arranged that they will be supplied from the independent installation referred to in the preceding paragraph in the event of failure of the main generating plant.

#### ARTICLE 22.

##### *Certificated Lifeboatmen. Manning of the Boats.*

Certificated lifeboatmen.

1. In every ship to which this Chapter applies there must be, for any boat or life raft carried in order to comply with this Chapter, such number of certificated lifeboatmen as is required by Regulation XLI for that boat.

*Post*, p. 1256.

Allocation to boats and life rafts.

2. The allocation of the certificated lifeboatmen to each boat and life raft remains within the discretion of the master, according to the circumstances.

Term defined.

3. By "certificated lifeboatman" is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Administration in accordance with the conditions laid down in the afore-mentioned Regulation.

Manning of the boats.  
*Post*, p. 1256.

4. The manning of the boats shall be as prescribed in Regulation XLII.

#### ARTICLE 23.

##### *Line-Throwing Appliances.*

Line-throwing appliances.

Every ship to which this Chapter applies shall carry a line-throwing appliance of a type approved by the Administration.

3. Une brassière de sauvetage ou une bouée de sauvetage ne peut être approuvée par une Administration si elle ne satisfait aux prescriptions de la Règle XL applicables aux brassières de sauvetage ou aux bouées de sauvetage suivant le cas.

4. Dans le présent article l'expression "brassière de sauvetage" s'entend de tout dispositif capable de s'appliquer au corps et ayant la flottabilité d'une brassière de sauvetage réglementaire.

#### ARTICLE 21.

##### *Circulation des Personnes. Eclairage de Secours.*

1. Des dispositions appropriées doivent être prises pour l'entrée et pour la sortie des différents compartiments, entreponts, &c.

2. Un éclairage électrique ou autre, suffisant pour satisfaire à toutes les exigences de la sécurité, doit être prévu dans les diverses parties du navire et particulièrement sur les ponts où se trouvent les embarcations de sauvetage. Sur les navires où le pont des embarcations est à plus de 9 mètres 15 (30 pieds) de la flottaison correspondant au tirant d'eau minimum à la mer, des dispositions doivent être prises pour éclairer les embarcations, depuis le navire et le long du bord, pendant la manœuvre de mise à l'eau et immédiatement après cette manœuvre. Il doit exister une source autonome capable d'alimenter, le cas échéant, les appareils de cet éclairage de sécurité et placée dans les régions supérieures du navire, au dessus du pont de cloisonnement.

3. La sortie de chaque compartiment occupé par les passagers ou l'équipage doit être éclairée en permanence par un fanal de secours. Ces fanaux de secours doivent pouvoir être alimentés par la source autonome visée au précédent paragraphe, en cas d'arrêt de la source normale d'éclairage du navire.

#### ARTICLE 22.

##### *Canotiers brevetés. Personnel des Embarcations.*

1. Sur tout navire auquel s'applique le présent chapitre il doit y avoir, pour chaque embarcation ou radeau de sauvetage installé en exécution des prescriptions du dit chapitre, un nombre de canotiers brevetés déterminé par les prescriptions de la Règle XLI qui concernent cette embarcation ou ce radeau de sauvetage.

2. Le capitaine du navire reste maître, suivant les circonstances, de l'affectation numérique des canotiers brevetés à chaque embarcation et radeau de sauvetage.

3. On entend par "canotier breveté" tout homme de l'équipage muni d'un brevet d'aptitude délivré au nom de l'Administration dans les conditions prévues à la dite Règle.

4. L'organisation du personnel des embarcations doit être conforme à la Règle XLII.

#### ARTICLE 23.

##### *Appareil porte-amarre.*

Chaque navire auquel s'applique ce Chapitre doit être muni d'un appareil porte-amarre d'un modèle approuvé par l'Administration.

## ARTICLE 24.

*Dangerous Goods. Fire Protection.*

Carriage of dangerous goods.

1. The carriage, either as cargo or ballast, of goods which by reason of their nature, quantity, or mode of stowage, are, either singly or collectively, liable to endanger the lives of the passengers or the safety of the ship, is forbidden.

Exceptions.

This provision does not apply to the ship's distress signals, nor to the carriage of naval or military stores for the public service of the State under conditions authorised by the Administration.

Precautions to be taken.

Each Administration shall, from time to time by official notice, determine what goods are to be considered dangerous goods, and shall indicate the precautions which must be taken in the packing and stowage thereof.

Post, p. 1256.

2. The arrangements to be made for the detection and extinction of fire shall be as prescribed in Regulation XLIII.

## ARTICLE 25.

*Muster Roll and Drills.*

Muster roll and drills.

Special duties for the event of an emergency shall be allotted to each member of the crew.

The muster list shall show all these special duties and shall indicate, in particular, the station to which each man must go, and the duties that he has to perform.

Before the vessel sails, the muster list shall be drawn up and exhibited, and the proper authority shall be satisfied that the muster list has been prepared for the ship. It shall be posted in several parts of the ship, and in particular in the crew's quarters.

Post, p. 1262.

Regulations XLIV and XLV prescribe the conditions under which musters of the crew and drills shall take place.

Chapter IV.—Radiotelegraphy.

## CHAPTER IV.—RADIOTELEGRAPHY.

## ARTICLE 26.

*Application and Definition.*

Application.

1. This Chapter applies to all ships engaged on international voyages except cargo ships of less than 1,600 tons gross tonnage.

Definition.

2. For the purposes of this Chapter a cargo ship means any ship not being a passenger ship.

## ARTICLE 27.

*Fitting of Radio Installation.*

Radio installation.  
Post, p. 1154.

1. All ships to which this Chapter applies shall, unless exempted under Article 28, be fitted with a radiotelegraph installation complying with the provisions of Article 31, as follows:—

(a.) All passenger ships, irrespective of size.

(b.) All cargo ships of 1,600 tons gross tonnage and upwards.



## ARTICLE 24.

*Marchandises dangereuses. Mesures contre l'Incendie.*

1. Il est interdit d'embarquer, comme lest ou comme cargaison, des matières susceptibles, isolément ou dans leur ensemble, de mettre en danger la vie des passagers ou la sécurité du navire, par leur nature, leur quantité ou leur mode d'arrimage.

Cette prohibition ne s'applique ni au matériel destiné aux signaux de détresse du navire lui-même, ni aux approvisionnements navals ou militaires pour le service de l'État dans les conditions où le transport de ces approvisionnements est autorisé par l'Administration.

La détermination des matières à considérer comme dangereuses et l'indication des précautions obligatoires à prendre dans leur emballage et leur arrimage feront l'objet d'instructions officielles et périodiques de la part de chaque Administration.

2. La Règle XLIII indique les dispositions à prendre pour la découverte et l'extinction de l'incendie.

## ARTICLE 25.

*Rôle d'Alarme et Exercices.*

Une consigne particulière d'alarme sera donnée à chaque homme de l'équipage.

Le rôle d'appel en cas d'alarme reproduit toutes les consignes particulières; il indique, notamment, le poste auquel chaque homme doit se rendre et les fonctions qu'il a à remplir.

Avant l'appareillage, le rôle d'appel est établi et mis à jour, et l'autorité qualifiée doit être mise à même d'en constater l'existence. Il est affiché bien en vue dans plusieurs endroits du bâtiment, notamment dans les locaux affectés à l'équipage.

Les conditions dans lesquelles on doit procéder aux appels et aux exercices de l'équipage sont prescrites par les Règles XLIV et XLV.

## CHAPITRE IV.—RADIOTÉLÉGRAPHIE.

## ARTICLE 26.

*Application et Définition.*

1. Le présent Chapitre s'applique à tous les navires qui effectuent des voyages internationaux, à l'exception des navires de charge de moins de 1,600 tonneaux de jauge brute.

2. Pour l'application du présent Chapitre, tout navire qui n'est pas un navire à passagers est un navire de charge.

## ARTICLE 27.

*Installation d'Appareils radiotélégraphiques.*

1. Tous les navires auxquels s'applique le présent Chapitre devront, s'ils n'en sont pas dispensés en vertu de l'Article 28, être munis d'une installation radiotélégraphique conforme aux dispositions de l'Article 31, ainsi qu'il est dit ci-après:

(a.) Tous les navires à passagers, quelles que soient leurs dimensions.

(b.) Tous les navires de charge de 1,600 tonneaux de jauge brute et au-dessus.

2. Each Administration may delay the application of the provisions of paragraph 1 (b) to cargo ships belonging to its country of less than 2,000 tons gross tonnage for a period not exceeding five years from the date of the coming into force of the present Convention.

ARTICLE 28.

*Exemptions from the Requirements of Article 27.*

Exemptions.

1. Each Administration may, if it considers that the route and the conditions of the voyage are such as to render a radiotelegraph installation unreasonable or unnecessary, exempt ships belonging to its country from the requirements of Article 27 as follows:—

Passenger ships.

*I.—Passenger ships.*

(a.) Individual passenger ships or classes of passenger ships which, in the course of their voyage, do not go more than—

(i) 20 miles from the nearest land;

or

(ii) 200 miles in the open sea between two consecutive ports.

(b.) Passenger ships which make voyages entirely within the restricted areas specified in the Annex to this Article.

Cargo ships, etc.

*II.—Cargo Ships.*

Individual cargo ships or classes of cargo ships which, in the course of their voyage, do not go more than 150 miles from the nearest land.

2. Each Administration may, in addition, exempt ships belonging to its country of the following classes:—

*I.—Barges in tow and existing sailing ships.*

An existing sailing ship is one the keel of which is laid before the 1st July, 1931.

*II.—Ships of primitive build, such as dhows, junks, &c., if it is practically impossible to fit them with a radiotelegraph installation.*

Occasional international voyages.

*III.—Ships which are not normally engaged on international voyages, but which in exceptional circumstances are required to undertake a single voyage of that kind.*

ANNEX TO ARTICLE 28.

Routes and voyages.

1. The Baltic Sea and approaches thereto East of a line drawn from Utsire (Norway) in the North to Texel (Netherlands) in the South, outside the territorial jurisdiction of the Union of Socialist Soviet Republics.

2. The portions of the Gulf of Tartary and the Sea of Okhotsk covered in voyages between ports in Hokkaido and ports in Japanese Sakhalin.

3. The Chosen (Tyosen) Strait between a line in the North drawn from Kawajiri Misaki (Cape Natsungu) to Fusan, and a line in the South drawn from Nagasaki to Giffard Island (off the South-West point of Quelpart Island) and thence to Tin To (Amherst Island).

2. Toute Administration d'un pays a la faculté de différer l'application des dispositions du paragraphe 1 (b) précédent, aux navires de charge de moins de 2,000 tonneaux de jauge brute appartenant à ce pays, pendant une période ne dépassant pas cinq ans à partir de la date de mise en vigueur de la présente Convention.

#### ARTICLE 28.

##### *Dispenses aux Prescriptions de l'Article 27.*

1. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont telles qu'une installation radiotélégraphique n'est ni raisonnable ni nécessaire, dispenser des prescriptions de l'Article 27 les navires appartenant à ce pays:

##### *I. Navires à passagers.*

(a) certains navires à passagers individuellement ou par catégorie lorsqu'au cours de leur voyage:

(i) ils ne s'éloignent pas de plus de 20 milles de la terre la plus proche,

*ou*

(ii) ils n'effectuent pas une traversée de plus de 200 milles en pleine mer, entre deux ports consécutifs.

(b) certains navires à passagers qui naviguent exclusivement en deçà des zones dont les limites sont déterminées à l'Annexe du présent Article.

##### *II. Navires de charge.*

Certains navires de charge, individuellement ou par catégorie, qui, au cours de leur voyage, ne s'éloignent pas de plus de 150 milles de la terre la plus proche.

2. Toute Administration d'un pays peut, en outre, dispenser les navires appartenant à ce pays et compris dans les catégories suivantes:

I.—Les chalands remorqués et les navires à voiles existants.

Par navire à voiles existant, il faut entendre un navire à voiles dont la quille a été posée avant la date du 1<sup>er</sup> juillet 1931.

II.—Les navires de construction primitive, tels que les dhows, les jonques, &c., s'il est pratiquement impossible de les munir d'une installation radiotélégraphique.

III.—Les navires qui n'effectuent pas normalement des voyages internationaux, mais qui, dans des circonstances exceptionnelles, sont obligés d'entreprendre un seul voyage de cette nature.

#### ANNEXE À L'ARTICLE 28.

1. La Baltique et ses abords à l'est d'une ligne tracée d'Utsire (Norvège) au Nord, jusqu'au Texel (Pays-Bas) au sud, en dehors de la juridiction territoriale de l'Union des Républiques Soviétistes Socialistes.

2. La partie du Golfe de Tartarie et de la Mer d'Okhotsk intéressant les voyages effectués entre des ports de Hokkaido et des ports dans le Sakhalin Japonais.

3. Le détroit de Chosen (Tyosen) délimité au Nord par une ligne tracée du Cap Natsungu (Kawajiri Misaki) jusqu'à Fusan et au sud par une ligne allant de Nagasaki à l'Île Giffard (à hauteur de la pointe sud-ouest de l'Île Quelpart) et de là, à Tin To (Île Amherst).

4. The Yellow Sea North of Parallel 37° North.
5. The Formosa Strait between a line in the North drawn from Fuki Kaku (Syauki Point) to Foochow and a line in the South drawn from South Cape (the South point of Formosa) to Hong Kong.

6. The area within the following limits:—

Parallel 10° N. from long. 94° E. to the coast of Asia, coast of Asia to Saigon (Cape Tiwan), straight lines between Cape Tiwan, lat. 4° 30' N. long. 110° E., south point of Palawan Island, Palmas (Miangas) Island, lat. 0° long. 140° E., lat. 0° long. 148° E., lat. 10° S. long. 148° E., Cape York, north coast of Australia from Cape York to Port Darwin (Cape Charles), straight lines between Cape Charles, Ashmore Reef (East Island), lat. 10° S. long. 109° E., Christmas Island, lat. 2° N. long. 94° E., lat. 10° N. long. 94° E., outside the territorial jurisdiction of Australia and of the United States of America.

7. The Caribbean Sea, outside the territorial jurisdiction of the United States of America, in relation to voyages made by sailing ships only.

8. The area of the South Pacific Ocean bounded by the Equator, Meridian 130° W., Parallel 34° S., and the coast of Australia, outside the territorial jurisdiction of Australia.

9. The Tong King Gulf and portions of the China Sea lying to the West of a line drawn from Hong Kong to Lat. 17° N. Long. 110° E., thence due South to Latitude 10° N., and thence West to Saigon.

10. The portions of the Indian Ocean covered in voyages between ports in Madagascar, Reunion and the Mauritius Islands.

11. The portions of the North Atlantic Ocean and Mediterranean Sea covered in voyages between Casablanca (Morocco) and Oran (Algeria) and intermediate ports.

#### ARTICLE 29.

Watches.

#### *Watches.*

##### *1. Passenger Ships.*

Passenger ships.  
Radio operator, etc.  
*Ante*, p. 1146.

Each passenger ship which, in accordance with Article 27, is required to be fitted with a radiotelegraph installation, shall, for safety purposes, carry a qualified operator, and, if not fitted with an auto-alarm, shall, whilst at sea, keep watches by means of a qualified operator or a certified watcher, as under:—

- (a.) All passenger ships under 3,000 tons gross tonnage, as determined by the Administration concerned;
- (b.) All passenger ships of 3,000 tons gross tonnage and over, continuous watch.

4. La Mer Jaune au nord du 37<sup>ème</sup> degré de latitude nord.

5. Le détroit de Formose délimité au Nord par une ligne tracée de la pointe Syauki (Fuki Kaku) jusqu'à Fou Tcheou et au Sud par une ligne tracée de South Cape (la pointe sud de Formose) jusqu'à Hong-Kong.

6. La zone comprise dans les limites suivantes:

Le parallèle du 10<sup>ème</sup> degré Nord à partir du 94<sup>ème</sup> degré de longitude Est jusqu'à la Côte d'Asie, la côte d'Asie jusqu'à Saïgon (Cap Tiwan), les lignes droites tracées entre le Cap Tiwan, 4<sup>ème</sup> degré 30 minutes de latitude Nord, 110<sup>ème</sup> degré de longitude Est, pointe sud de l'île Palawan, île Palmas (Miangas) l'équateur entre le 140<sup>ème</sup> et le 148<sup>ème</sup> degré de longitude Est, 10<sup>ème</sup> degré de latitude Sud, 148<sup>ème</sup> degré de longitude Est, le Cap York, la côte nord de l'Australie du Cap York jusqu'à Port Darwin (Cap Charles), les lignes droites tracées entre le Cap Charles, Ashmore Reef (East Island), 10<sup>ème</sup> degré de latitude Sud, 109<sup>ème</sup> degré de longitude Est, Christmas Island, 2<sup>ème</sup> degré de latitude Nord, 94<sup>ème</sup> degré de longitude Est, 10<sup>ème</sup> degré de latitude Nord, 94<sup>ème</sup> degré de longitude Est en dehors de la juridiction territoriale de l'Australie et des États Unis d'Amérique.

7. La Mer des Caraïbes, en dehors de la juridiction territoriale des États-Unis d'Amérique, en ce qui concerne les voyages effectués par les navires à voiles seulement.

8. La zone de l'Océan Pacifique sud limitée par l'équateur, le méridien du 130<sup>ème</sup> degré Ouest, le parallèle du 34<sup>ème</sup> degré Sud, et la côte d'Australie, en dehors de la juridiction territoriale de l'Australie.

9. Le golfe du Tonkin et la partie de la Mer de Chine qui se trouve à l'Ouest d'une ligne tracée de Hong-Kong jusqu'au point situé par 17 degrés de latitude Nord et 110 degrés de longitude Est, puis de là au Sud jusqu'à la rencontre du 10<sup>ème</sup> degré de latitude Nord, et de là, à l'Ouest jusqu'à Saïgon.

10. La partie de l'Océan Indien intéressant les voyages effectués entre les ports de Madagascar, la Réunion et les îles Maurice.

11. La partie de l'Atlantique Nord et celle de la Méditerranée intéressant les voyages effectués entre Casablanca (Maroc) et Oran (Algérie) et les ports intermédiaires.

#### ARTICLE 29.

##### *Services d'Écoute.*

##### *1. Navires à passagers.*

Tout navire à passagers obligatoirement muni d'une installation radiotélégraphique, en vertu de l'Article 27, est tenu, au point de vue de la sécurité, d'avoir à bord un opérateur qualifié, et, s'il n'est pas pourvu d'un auto-alarme, d'assurer, lorsqu'il est à la mer, un service d'écoute au moyen d'un opérateur qualifié ou d'un écouteur breveté, dans les conditions suivantes:

- (a.) A bord de tous les navires à passagers d'une jauge brute inférieure à 3000 tonneaux, ce service d'écoute sera déterminé par l'Administration intéressée;
- (b.) A bord de tous les navires à passagers d'une jauge brute de 3000 tonneaux et au-dessus, ce service d'écoute sera permanent.

Each Administration is authorised to exempt passenger ships belonging to its country from 3,000 tons to 5,500 tons gross tonnage, both included, from the requirement of a continuous watch for a period not exceeding one year from the date of the coming into force of the present Convention, provided that during the period of such exemption they shall maintain a watch of at least 8 hours per day.

## 2. *Cargo Ships.*

Cargo ships.

Each cargo ship which, in accordance with Article 27, is required to be fitted with a radiotelegraph installation, shall, for safety purposes, carry a qualified operator, and, if not fitted with an auto-alarm, shall, whilst at sea, keep watches by means of a qualified operator or a certified watcher, as under:—

- (a.) All cargo ships under 3,000 tons gross tonnage, as determined by the Administration concerned;
- (b.) Cargo ships from 3,000 to 5,500 tons gross tonnage, both included, at least 8 hours' watch per day;
- (c.) Cargo ships over 5,500 tons gross tonnage, continuous watch.

Each Administration is authorised to exempt ships belonging to its country included in (c) above from the requirement of a continuous watch for a period not exceeding one year from the date of the coming into force of the present Convention, provided that during the period of such exemption they shall maintain a watch of at least 8 hours per day.

Each Administration is also authorised to exempt ships belonging to its country from 5,500 tons to 8,000 tons gross tonnage from the requirement of a continuous watch for a further period of one year, provided that during this further period of exemption they shall maintain a watch of at least 16 hours per day.

Auto-alarm.

3. On all ships fitted with an auto-alarm this auto-alarm shall, whilst the ship is at sea, always be in operation when the operator or watcher is not on watch.

On ships for which the hours of watch are to be determined by the Administration concerned, such watch should be maintained preferably at hours prescribed for radiotelegraph service by the International Radiotelegraph Convention in force.

On ships which are required to keep 8 hours' or 16 hours' watch per day, such watch shall be maintained at the hours prescribed for radiotelegraph service by the International Radiotelegraph Convention in force.

Toute Administration d'un pays est autorisée à exempter de l'obligation de l'écoute permanente tous les navires à passagers appartenant à ce pays dont la jauge brute est comprise entre 3,000 tonneaux inclus et 5,500 tonneaux inclus, pendant une période ne dépassant pas un an à partir de la date de mise en vigueur de la présente Convention, sous réserve que, pendant cette période de dispense, ils effectueront une écoute d'au moins 8 heures par jour.

## 2. *Navires de charge.*

Tout navire de charge obligatoirement muni d'une installation radiotélégraphique en vertu de l'Article 27, est tenu, au point de vue de la sécurité, d'avoir à bord un opérateur qualifié et, s'il n'est pas pourvu d'un auto-alarme, d'assurer, lorsqu'il est à la mer, un service d'écoute au moyen d'un opérateur qualifié ou d'un écoutteur breveté, dans les conditions suivantes:

- (a.) A bord des navires de charge d'une jauge brute de moins de 3000 tonneaux, ce service d'écoute sera déterminé par l'Administration intéressée;
- (b.) A bord des navires de charge d'une jauge brute de 3000 à 5500 tonneaux inclus, ce service d'écoute sera d'au moins huit heures par jour;
- (c.) Pour les navires de charge d'une jauge brute de plus de 5500 tonneaux, ce service d'écoute sera permanent.

Toute Administration d'un pays est autorisée à dispenser les navires appartenant à ce pays et visés à l'alinéa (c) de l'obligation de l'écoute permanente pendant une période ne dépassant pas un an à partir de la date de mise en vigueur de la présente Convention, sous réserve que, pendant cette période de dispense, ils assureront une écoute d'au moins huit heures par jour.

Toute Administration d'un pays est également autorisée à dispenser de l'obligation de l'écoute permanente, les navires appartenant à ce pays dont la jauge brute est supérieure à 5500 tonneaux et égale ou inférieure à 8000 tonneaux, pendant une autre période d'un an, sous réserve que pendant cette nouvelle période de dispense, ils assureront une écoute d'au moins 16 heures par jour.

3. A bord de tous les navires pourvus d'un auto-alarme, cet appareil devra, tant que le navire sera à la mer, être toujours en service lorsque l'opérateur ou l'écouteur ne fera pas l'écoute.

A bord des navires dont les heures d'écoute sont déterminées par l'Administration intéressée, cette écoute devra être assurée de préférence à des heures prescrites pour le service radiotélégraphique par la Convention Radiotélégraphique Internationale en vigueur.

A bord des navires tenus d'effectuer une écoute de huit heures ou de seize heures par jour, cette écoute sera assurée aux heures prescrites pour le service radiotélégraphique par la Convention Radiotélégraphique Internationale en vigueur.

Definitions.  
45 Stat. 2871.

4. By *auto-alarm* is meant an automatic alarm receiver which complies with the requirements of Article 19, § 21, of the General Regulations annexed to the International Radiotelegraph Convention, 1927.

5. By *qualified operator* is meant a person holding a certificate complying with the provisions of the General Regulations annexed to the International Radiotelegraph Convention in force.

6. By *certified watcher* is meant any person holding a watcher's certificate issued under the authority of the Administration.

#### ARTICLE 30.

##### *Watchers.*

Watchers.

1. A watcher's certificate shall not be granted by a Contracting Government unless the applicant proves that he is capable—

(a) of receiving and understanding the alarm, distress, safety and urgency signals when these signals occur among a series of other signals;

(b) of correct reception by ear of code groups (mixed letters, figures and punctuation marks) at a speed of sixteen groups per minute, each group being composed of five characters and each figure or punctuation mark counting as two characters;

(c) of regulating the receivers used in the ship's radiotelegraph installation.

2. The Contracting Governments undertake to take steps to ensure that certified watchers observe the secrecy of correspondence.

#### ARTICLE 31.

##### *Technical Requirements.*

Technical require-  
ments.  
*Ante*, p. 1146.  
*Post*, p. 1170.

The radiotelegraph installations required by Article 27 above and the direction-finding apparatus required by Article 47 shall comply with the following requirements:—

1. The ship's station must be placed in accordance with the detailed Regulations of the Government of the country to which the ship belongs, in the upper part of the ship in a position of the greatest possible safety, as high as practicable above the deepest load water line.

2. There shall be provided, between the bridge of the ship and the wireless telegraph room, means of communication either by voice pipe or by telephone or in some other manner equally efficient.

3. A reliable clock with a seconds hand must be provided in the wireless telegraph room.

4. A reliable emergency light must be provided in the wireless telegraph room.

5. The installation shall comprise a main installation and an emergency (reserve) installation. If, however, the main installation complies with all the requirements of an emergency (reserve) installation the latter is not then obligatory.



4. Par *auto-alarme*, on entend un appareil récepteur automatique d'alarme remplissant les conditions prescrites à l'Article 19, paragraphe 21, du Règlement Général annexé à la Convention Radiotélégraphique Internationale de 1927.

5. Par *opérateur qualifié*, on entend toute personne possédant un certificat répondant aux dispositions du Règlement Général annexé à la Convention Radiotélégraphique Internationale en vigueur.

6. Par *écouteur breveté*, on entend toute personne possédant un brevet d'écouteur délivré par les soins de l'Administration.

#### ARTICLE 30.

##### *Écouteurs.*

1. Tout Gouvernement contractant ne délivrera le brevet d'écouteur qu'après avoir constaté que le candidat est capable:

(a) de recevoir et de comprendre les signaux d'alarme, de détresse, de sécurité et d'urgence lorsque ces signaux sont transmis au milieu de séries d'autres signaux;

(b) d'assurer la réception auditive correcte de groupes de code (mélange de lettres, de chiffres et de signes de ponctuation) à la vitesse de 16 groupes par minute. Chaque groupe de code doit comprendre cinq caractères, chaque chiffre ou signe de ponctuation comptant pour deux caractères;

(c) de régler les récepteurs utilisés dans l'installation radiotélégraphique du navire.

2. Les Gouvernements contractants s'engagent à prendre des mesures pour que les écouteurs brevetés observent le secret de la correspondance.

#### ARTICLE 31.

##### *Conditions techniques requises.*

Les installations radiotélégraphiques prescrites par l'Article 27 et les appareils radiogoniométriques rendus obligatoires par l'Article 47, doivent satisfaire aux conditions suivantes:

1. La station de bord doit être située, conformément aux règlements détaillés du Gouvernement du pays dont relève le navire, dans la partie supérieure du navire, de manière à se trouver dans les meilleures conditions de sécurité et aussi haut que possible au-dessus de la ligne de charge maximum.

2. La passerelle de navigation et la cabine de radiotélégraphie doivent être reliées soit par tube acoustique, soit par téléphone, soit par tout autre moyen de communication aussi efficace.

3. La cabine de radiotélégraphie devra être pourvue d'une montre ou d'une pendule à secondes fonctionnant convenablement.

4. Un éclairage de secours efficace doit être installé dans la cabine de radiotélégraphie.

5. L'installation doit comprendre une installation principale et une installation de secours (réserve). Toutefois, si l'installation principale remplit toutes les conditions d'une installation de secours (réserve), cette dernière n'est pas dans ce cas obligatoire.

6. The main and emergency (reserve) installations must be capable of transmitting and receiving on the frequencies (wave lengths) and types of waves assigned by the International Radiotelegraph Convention in force for the purpose of distress and safety of navigation to ships compulsorily fitted with radiotelegraph installations in accordance with the present Convention.

7. The main and emergency (reserve) transmitters shall have a note frequency of at least 100.

8. The main transmitter shall have a *normal range* of 100 nautical miles, that is to say, it must be capable of transmitting clearly perceptible signals from ship to ship over a range of at least 100 nautical miles by day under normal conditions and circumstances, the receiver being assumed to be one employing a rectifier of the crystal type without amplification.\*

9. Sufficient power must be available in a ship station at all times to operate the main radiotelegraph installation efficiently under normal conditions over the above range.

10. All parts of the emergency (reserve) installation shall be placed in the upper part of the ship, in a position of the greatest possible safety, as high above the deepest load water line as practicable. The emergency (reserve) installation must be provided with a source of energy independent of the propelling power of the ship and of the main electricity system and must be capable of being put into operation rapidly and of working for at least six continuous hours.

For the emergency (reserve) installation, the normal range as defined in paragraph 8 above must be at least 80 nautical miles for ships required to maintain a continuous watch and at least 50 nautical miles for all other ships.\*

11. The receiving installation must permit of the reception of such of the waves used for the transmission of time signals and meteorological messages as may be considered necessary by the Administration.

12. The receiver must be so arranged as to be capable of maintaining reception by means of a rectifier of the crystal type.

\* Unless a more precise and practical method is available to determine the range of transmitters it is recommended that, as a guide, the following relations between the range in nautical miles (from ship to ship under normal conditions in daytime) and the power of the ship transmitter in metre amperes for 500 kilocycles per second (600 m) be used:—

100 nautical miles	60 M A
80 nautical miles	45 M A
50 nautical miles	25 M A

*M* being the actual height in metres of the aerial from its highest point to the load line.

*A* being the current in amperes measured at the base of the aerial in case of B, or fully modulated A 2, transmitters. [Footnote in the original.]

6. Les installations principales et de secours (réserve) doivent pouvoir transmettre et recevoir avec les fréquences (longueurs d'ondes) et sur les types d'ondes prescrits pour le trafic de détresse et la sécurité de la navigation par la Convention Radiotélégraphique Internationale en vigueur pour les navires obligatoirement pourvus d'une installation radiotélégraphique en vertu de la présente Convention.

7. L'émetteur principal et l'émetteur de secours (réserve) doit avoir une fréquence musicale d'au moins 100.

8. L'émetteur principal doit avoir une *portée normale* de 100 milles marins, c'est-à-dire qu'il doit être capable de transmettre des signaux clairement perceptibles de navire à navire, à une distance d'au moins 100 milles, de jour, dans des conditions et circonstances normales, le récepteur étant supposé pourvu d'un détecteur à cristal sans dispositif d'amplification.\*

9. La station de bord doit pouvoir disposer, en tout temps, d'une source d'énergie suffisante pour faire fonctionner efficacement le poste radiotélégraphique principal dans des conditions normales, à la distance indiquée ci-dessus.

10. Tous les organes de l'installation de secours (réserve) doivent être placés dans la partie supérieure du navire de manière à se trouver dans les meilleures conditions de sécurité et aussi haut que possible au-dessus de la ligne de charge maximum. L'installation de secours (réserve) doit disposer d'une source d'énergie indépendante de celle qui est utilisée pour la propulsion du navire et pour le réseau principal d'électricité; elle doit pouvoir être rapidement mise en service et être utilisée pendant six heures consécutives au moins.

La portée normale de l'installation de secours (réserve), telle qu'elle est définie au paragraphe 8 ci-dessus, doit être d'au moins 80 milles marins pour les navires tenus d'assurer une écoute permanente et d'au moins 50 milles marins pour tous les autres navires.\*

11. L'installation de réception doit permettre de recevoir, sur celles des longueurs d'onde utilisées pour la transmission des signaux horaires et des messages météorologiques, qui seraient jugés nécessaires par l'Administration.

12. Le récepteur doit être disposé de façon à assurer la réception au moyen d'un détecteur à cristal.

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\*Jusqu'à ce que l'on dispose d'une méthode plus exacte ou plus pratique pour déterminer la portée des transmetteurs, il est recommandé de prendre comme guide les relations suivantes entre la portée en milles marins (de navire à navire dans des conditions normales et de jour) et la puissance du transmetteur du navire en mètres-ampères pour 500 kilocycles à la seconde (600 mètres).

100 milles marins	60 M.A.
80 milles marins	45 M.A.
50 milles marins	25 M.A.

M étant la hauteur réelle en mètres de l'antenne à son point le plus élevé, au-dessus de la ligne de charge,

A étant le courant en ampères mesuré à la base de l'antenne dans le cas de transmetteurs B ou A2 modulés. [Footnote in the original.]

13. In ships in which watch is kept by means of an automatic alarm receiver a means of giving audible warning shall be provided in the wireless telegraph room, in the wireless operator's cabin, and on the bridge, which shall operate continuously after the receiver has been operated by the alarm signal or distress call until stopped. Only one switch for stopping the warning shall be provided and this shall be situated in the wireless telegraph room.

14. In such ships the wireless operator, when going off watch, shall connect the automatic alarm receiver to the aerial and test its efficiency. He shall report to the master or the officer on watch on the bridge whether it is in working order.

15. Whilst the ship is at sea the emergency source of power shall be maintained at its full efficiency and the automatic alarm receiver shall be tested at least once every 24 hours. A statement that both these requirements have been fulfilled must be inserted in the ship's official log daily.

16. A wireless log shall be carried by every ship compulsorily equipped with wireless transmitting apparatus. This document shall be kept in the wireless telegraph room, and in it shall be inserted the names of the operators and watchers as well as all incidents and occurrences connected with the wireless service which may appear to be of importance to safety of life at sea, and in particular all distress messages and distress traffic in full.

*Post*, p. 1170.

17. The direction-finding apparatus required by Article 47 shall be efficient and capable of receiving clearly perceptible signals and of taking bearings from which the true bearing and direction may be determined. It shall be capable of receiving signals on the frequencies prescribed for distress, direction finding and wireless telegraph beacons by the International Radiotelegraph Convention in force.

Efficient communication shall be provided between the apparatus and the bridge.

#### ARTICLE 32.

##### *Competence.*

Competence.  
45 Stat. 2760.

The matters governed by the International Radiotelegraph Convention, Washington, 1927, and the Regulations annexed thereto remain, and will continue, subject to the provisions:—

(1.) Of that Convention and of the Regulations annexed thereto, and of any Convention and Regulations which may in the future be substituted therefor;

(2.) Of the present Convention in regard to all the points in which it supplements the aforementioned documents.

13. A bord des navires où l'écoute est assurée au moyen d'un récepteur automatique d'alarme, on doit installer des avertisseurs sonores dans la cabine de radiotélégraphie, dans la cabine de l'opérateur radiotélégraphiste et sur la passerelle de navigation. Ces avertisseurs doivent fonctionner continuellement après que le récepteur a été actionné par le signal d'alarme ou de détresse, et jusqu'à ce qu'il soit arrêté. Pour arrêter les avertisseurs, il ne doit exister qu'un seul interrupteur, placé dans la cabine de radiotélégraphie.

14. A bord des navires visés au paragraphe précédent, l'opérateur, en quittant l'écoute, doit reconnecter le récepteur automatique d'alarme à l'antenne et éprouver son efficacité. Il doit rendre compte de son bon état de fonctionnement au capitaine ou à l'officier de quart sur la passerelle de navigation.

15. Lorsque le navire est à la mer, la source d'énergie de secours doit être maintenue dans un parfait état d'efficacité et le récepteur automatique d'alarme doit être vérifié au moins une fois par 24 heures. Mention que ces deux obligations ont été remplies sera portée, chaque jour, au Journal du bord.

16. A bord de tout navire obligatoirement pourvu d'une installation émettrice radioélectrique, il doit être tenu un journal radioélectrique. Sur ce document, qui doit se trouver dans la cabine de radiotélégraphie, seront inscrits les noms des opérateurs et des écouteurs, ainsi que tous les incidents et événements concernant le service radioélectrique et pouvant offrir un intérêt quelconque pour la sauvegarde de la vie humaine en mer; en particulier, tous les messages et tout le trafic de détresse doivent y être reproduits dans leur intégralité.

17. L'appareil radiogoniomètre, rendu obligatoire en vertu de l'Article 47, doit être d'un fonctionnement efficace, susceptible de recevoir des signaux clairement perceptibles et de prendre des relevements dont il sera possible de déterminer le sens et de déduire le gisement vrai. Il doit pouvoir recevoir des signaux sur les fréquences prescrites, pour les cas de détresse, pour les radiogoniomètres et pour les radiophares, par la Convention Radiotélégraphique Internationale en vigueur.

Un moyen de communication efficace doit exister entre l'appareil et la passerelle de navigation.

## ARTICLE 32.

### *Compétence.*

Les questions qui sont réglées par la Convention Radiotélégraphique Internationale de Washington de 1927 et par les Règlements y annexés, restent et continueront à être soumises aux dispositions:

(1) de cette Convention et des Règlements y annexés et des autres Conventions et Règlements qui pourraient y être substitués dans l'avenir;

(2) de la présente Convention en ce qui concerne tous les points où elle complète les documents susvisés.

## CHAPTER V.—SAFETY OF NAVIGATION.

## ARTICLE 33.

*Application.*

Application.

The provisions of this Chapter referring to ships, unless otherwise expressly provided, apply to all ships on all voyages.

## ARTICLE 34.

*Danger Messages.*

Danger messages.

The master of every ship which meets with dangerous ice, a dangerous derelict, a dangerous tropical storm or any other direct danger to navigation is bound to communicate the information, by all the means of communication at his disposal, to the ships in the vicinity, and also to the competent authorities at the first point of the coast with which he can communicate. It is desirable that the said information be sent in the manner set out in Regulation XLVI.

Post, p. 1264.

Each Administration will take all steps which it thinks necessary to ensure that when intelligence of any of the dangers specified in the previous paragraph is received, it will be promptly brought to the knowledge of those concerned and communicated to other Administrations interested.

The transmission of messages respecting the dangers specified is free of cost to the ships concerned.

## ARTICLE 35.

*Meteorological Services.*Meteorological serv-  
ices.

The Contracting Governments undertake to encourage the collection of meteorological data by ships at sea, and to arrange for their examination, dissemination and exchange in the manner most suitable for the purpose of aiding navigation.

In particular, the Contracting Governments undertake to co-operate in carrying out, as far as practicable, the following meteorological arrangements:—

(a) to warn ships of gales, storms and tropical storms, both by the issue of wireless messages and by the display of appropriate signals at coastal points;

(b) to issue daily, by radio, weather bulletins suitable for shipping, containing data of existing weather conditions and forecasts;

(c) to arrange for certain selected ships to take meteorological observations at specified hours, and to transmit such observations by wireless telegraphy for the benefit of other ships and of the various official meteorological services; and to provide coast stations for the reception of the messages transmitted;

(d) to encourage all ship-masters to inform surrounding ships whenever they experience wind force of 10 or above on the Beaufort scale (force 8 or above on the decimal scale).

## CHAPITRE V.—SÉCURITÉ DE LA NAVIGATION.

## ARTICLE 33.

*Application.*

Les prescriptions du présent Chapitre, visant des navires, s'appliquent, à moins qu'il n'en soit expressément spécifié autrement, à tous les navires pour tous les voyages.

## ARTICLE 34.

*Avis de dangers.*

Le capitaine de tout navire, se trouvant en présence de glaces ou d'une épave dangereuses ou d'une tempête tropicale dangereuse, ou de tout autre danger immédiat pour la navigation, est tenu d'en informer par tous les moyens de communication dont il dispose les navires dans le voisinage ainsi que les autorités compétentes au premier point de la côte avec lequel il peut communiquer. Il est souhaitable que cette information soit transmise de la manière exposée à la Règle XLVI.

Chaque Administration prendra toutes les mesures qu'elle jugera nécessaires pour s'assurer que l'information des dangers définis au paragraphe précédent soit rapidement portée à la connaissance de ceux que cela concerne et transmise aux autres Administrations intéressées.

La transmission de messages concernant les dangers en question est gratuite pour les navires intéressés.

## ARTICLE 35.

*Services météorologiques.*

Les Gouvernements contractants s'engagent à encourager la centralisation de renseignements d'ordre météorologique par les navires en mer, de les faire examiner, propager et de se les communiquer de la manière la plus efficace dans le but de venir en aide à la navigation.

En particulier, les Gouvernements contractants s'engagent à collaborer à l'application, dans la plus grande mesure possible, des dispositions météorologiques suivantes:

(a) avertir les navires des coups de vents, tempêtes et tempêtes tropicales, tant par la transmission de messages radioélectriques que par l'usage de signaux appropriés sur des points de la côte;

(b) transmettre journellement par sans fil des bulletins sur l'état du temps pouvant intéresser la navigation, et donnant des renseignements sur les conditions actuelles du temps ainsi que des prévisions;

(c) établir des mesures pour que certains navires spécialement désignés prennent des observations météorologiques à des heures déterminées et transmettent ces observations par télégraphie sans fil dans l'intérêt des autres navires et des divers services météorologiques officiels, et pourvoir certaines stations côtières pour la réception de ces messages;

(d) encourager tous les capitaines de navires à prévenir les navires dans le voisinage lorsqu'ils rencontrent une force de vent de 10 ou au-dessus—échelle Beaufort (force 8 ou au-dessus, échelle décimale).

45 Stat. 2878, 2872.

The information provided for in paragraphs (a) and (b) of this article will be furnished in form for transmission in accordance with Article 31, §§ 1, 3 and 5, and Article 19, § 25, of the General Regulations annexed to the International Radiotelegraph Convention, Washington, 1927, and during transmission "to all stations" of meteorological information, forecasts and warnings, all ship stations must conform to the provisions of Article 31, § 2, of those General Regulations.

Weather observations from ships addressed to national meteorological services will be transmitted with the priority specified in Article 3, Additional Regulations, International Radiotelegraph Convention, Washington, 1927.

Forecasts, warnings, synoptic and other meteorological reports intended for ships shall be issued and disseminated by the national service in the best position to serve various zones and areas, in accordance with mutual arrangements made by the countries concerned.

Uniformity of procedure.

Every endeavour will be made to obtain a uniform procedure in regard to the international meteorological services specified in this Article, and, as far as is practicable, to conform to the recommendations made by the International Meteorological Organization, to which organization the Contracting Governments may refer for study and advice any meteorological questions which may arise in carrying out the present Convention.

#### ARTICLE 36.

##### *Ice Patrol. Derelicts.*

Ice patrol.

The Contracting Governments undertake to continue a service of ice patrol and a service for study and observation of ice conditions in the North Atlantic. Further, they undertake to take all practicable steps to ensure the destruction or removal of derelicts in the northern part of the Atlantic Ocean east of the line drawn from Cape Sable to a point in latitude 34° N. longitude 70° W. if this destruction or removal is considered necessary at the time.

Derelicts in North Atlantic Ocean.

The Contracting Governments undertake to provide not more than three vessels for these three services. During the whole of the ice season they shall be employed in guarding the south-eastern, southern and south-western limits of the regions of icebergs in the vicinity of the Great Bank of Newfoundland for the purpose of informing trans-Atlantic and other passing vessels of the extent of this dangerous region; for the observation and study of ice conditions in general; for the destruction or removal of derelicts; and for the purpose of affording assistance to vessels and crews requiring aid within the limits of operation of the patrol vessels.

During the rest of the year the study and observation of ice conditions shall be maintained as advisable, and one vessel shall always be available for the search for, and destruction or removal of derelicts.



Les informations prévues aux paragraphes (a) et (b) du présent Article seront transmises dans la forme indiquée aux Articles 31 (paragraphes 1, 3 et 5) et l'Article 19 (paragraphe 25) du Règlement général annexé à la Convention Radiotélégraphique Internationale de Washington, 1927, et pendant la durée des transmissions de renseignements météorologiques, avertissements et prévisions "à tous," toutes les stations de bord doivent se conformer aux dispositions de l'Article 31 (paragraphe 2) de ce Règlement.

Les observations sur le temps adressées par les navires aux services météorologiques nationaux bénéficieront de la priorité de transmission spécifiée à l'Article 3, Règlements additionnels, Convention Radiotélégraphique Internationale de Washington, 1927.

Les prévisions, avertissements, rapports synoptiques et autres rapports météorologiques à l'usage des navires doivent être transmis et propagés par le service national dans la position la plus favorable pour desservir les différentes zones et régions suivant des accords mutuels entre les pays intéressés.

Tous les efforts tendront à obtenir une procédure internationale uniforme en ce qui concerne les services météorologiques internationaux spécifiés au présent Article et à se conformer, dans la mesure du possible aux recommandations de l'Institution météorologique internationale, à qui les Gouvernements contractants pourront se référer pour étude et avis sur tous les sujets d'ordre météorologique pouvant se présenter dans l'application de la présente Convention.

#### ARTICLE 36.

##### *Recherche des glaces. Epaves.*

Les Gouvernements contractants s'engagent à maintenir un service de recherche des glaces et un service d'étude et d'observation du régime des glaces dans l'Atlantique Nord. De plus, ils s'engagent à prendre toutes les mesures possibles pour assurer la destruction ou l'enlèvement des épaves dans la partie nord de l'Océan Atlantique, à l'est d'une ligne tracée du Cap Sable jusqu'à un point situé par 34 degrés de latitude Nord et 70 degrés de longitude Ouest si l'utilité de ces destructions ou de ces enlèvements est reconnue.

Les Gouvernements contractants s'engagent à fournir trois navires au plus pour le fonctionnement de ces trois services. Pendant toute la saison des glaces, ces navires doivent être affectés à la surveillance des limites sud-est, sud et sud-ouest des régions des icebergs dans le voisinage du grand banc de Terre-Neuve, pour informer de l'étendue de la région dangereuse les navires transatlantiques et autres qui passent; pour étudier et observer le régime des glaces; pour détruire et enlever les épaves; et pour prêter assistance aux navires et équipages qui ont besoin d'aide dans la zone d'action des navires patrouilleurs.

Pendant le reste de l'année, l'étude et l'observation du régime des glaces doivent être poursuivies, suivant les nécessités, et un navire doit toujours être disponible pour la recherche, la destruction ou l'enlèvement des épaves.

ARTICLE 37.

*Ice Patrol. Management and Cost.*

Ice patrol.  
  
Management by  
United States.  
  
  
  
Cost contributions.

The Government of the United States is invited to continue the management of these services of ice patrol, study and observation of ice conditions, and derelict destruction and removal. The Contracting Governments specially interested in these services, whose names are given below, undertake to contribute to the expense of maintaining and operating these services in the following proportions:—

	Per cent.
Belgium . . . . .	2
Canada . . . . .	3
Denmark . . . . .	2
France . . . . .	6
Germany . . . . .	10
Great Britain and Northern Ireland . . . . .	40
Italy . . . . .	6
Japan . . . . .	1
Netherlands . . . . .	5
Norway . . . . .	3
Spain . . . . .	1
Sweden . . . . .	2
Union of Socialist Soviet Republics . . . . .	1
United States of America . . . . .	18

Right to discon-  
tinue.

Each of the Contracting Governments has the right to discontinue its contribution to the expense of maintaining and operating these services after the 1st September, 1932. Nevertheless, the Contracting Government which avails itself of this right will continue responsible for the expense of working up to the 1st September following the date of giving notice of intention to discontinue its contribution. To take advantage of the said right it must give notice to the other Contracting Governments at least six months before the said 1st September; so that, to be free from this obligation on the 1st September, 1932, it must give notice on the 1st March, 1932, at the latest, and similarly for each subsequent year.

If, at any time, the United States Government should not desire to continue these services, or if one of the Contracting Governments should express a wish to relinquish responsibility for the pecuniary contribution defined above, or to have its percentage of obligation altered, the Contracting Governments shall settle the question in accordance with their mutual interests.

Alteration of pro-  
visions.

The Contracting Governments which contribute to the cost of the three above-mentioned services shall have the right by common consent to make from time to time such alterations in the provisions of this Article and of Article 36 as appear desirable.

ARTICLE 38.

*Speed near Ice.*

Speed near ice.

When ice is reported on, or near, his course, the master of every ship at night is bound to proceed at a moderate speed or to alter his course so as to go well clear of the danger zone.

## ARTICLE 37.

*Recherche des glaces. Gestion et Dépenses.*

Le Gouvernement des États-Unis est invité à continuer la gestion de ces trois services; recherche des glaces; étude et observation du régime des glaces; destruction et enlèvement des épaves. Les Gouvernements contractants qui sont spécialement intéressés à ces services et dont les noms suivent s'engagent à contribuer aux dépenses d'entretien et de fonctionnement de ces services dans les proportions suivantes:

	Pour Cent.
Allemagne. . . . .	10
Belgique. . . . .	2
Canada . . . . .	3
Danemark. . . . .	2
Espagne. . . . .	1
États-Unis d'Amérique . . . . .	18
France . . . . .	6
Grande-Bretagne et Irlande du Nord . . . . .	40
Italie . . . . .	6
Japon. . . . .	1
Norvège. . . . .	3
Pays-Bas. . . . .	5
Suède. . . . .	2
Union des Républiques Soviétistes Socialistes. . . . .	1

Chacun des Gouvernements contractants a la faculté de cesser de contribuer aux dépenses d'entretien et de fonctionnement de ces services après le 1<sup>er</sup> septembre 1932. Toutefois, le Gouvernement contractant qui usera de cette faculté restera tenu des dépenses ci-dessus jusqu'au 1<sup>er</sup> septembre qui suivra la date de notification de son intention de cesser sa contribution. Pour user de ladite faculté, il devra notifier son intention aux autres Gouvernements contractants six mois au moins avant ledit 1<sup>er</sup> septembre, de sorte que, pour être dégagé de ces obligations au 1<sup>er</sup> septembre 1932, il devra notifier son intention au plus tard le 1<sup>er</sup> mars 1932, et de même chaque année qui suivra.

Au cas où, à un moment quelconque, le Gouvernement des États-Unis ne désirerait plus gérer ces services ou que l'un des Gouvernements contractants exprimerait le désir de ne plus assumer la charge de la contribution pécuniaire ci-dessus définie ou de voir modifier son pourcentage, les Gouvernements contractants régleront la question au mieux de leurs intérêts réciproques.

Les Gouvernements contractants qui contribuent aux frais des trois services susmentionnés ont le droit d'apporter au présent Article et à l'Article 36 d'un commun accord et en tout temps, les changements qui seraient jugés désirables.

## ARTICLE 38.

*Vitesse dans le voisinage des Glaces.*

Lorsque des glaces sont signalées sur la route ou près de la route à suivre, le capitaine de tout navire est tenu de modérer pendant la nuit la vitesse de son navire ou de changer de route, de manière à bien s'écarter de la zone dangereuse.

## ARTICLE 39.

*North Atlantic Routes.*

North Atlantic  
routes.

The practice of following recognised routes across the North Atlantic in both directions has contributed to safety of life at sea, but the working of these routes should be further investigated and studied with a view to the introduction of such variations as experience may show to be necessary.

The selection of the routes and the initiation of action with regard to them is left to the responsibility of the steamship companies concerned. The Contracting Governments will assist the companies, when requested to do so, by placing at their disposal any information bearing on the routes which may be in the possession of the Governments.

The Contracting Governments undertake to impose on the companies the obligation to give public notice of the regular routes which they propose their vessels should follow, and of any changes made in these routes; they will also use their influence to induce the owners of all vessels crossing the Atlantic to follow, so far as circumstances will permit, the recognised routes, and to induce the owners of all vessels crossing the Atlantic bound to or from ports of the United States via the vicinity of the Great Bank of Newfoundland to avoid, as far as practicable, the fishing banks of Newfoundland north of latitude 43° N. during the fishing season, and to pass outside regions known or believed to be endangered by ice.

The Administration managing the ice patrol service is requested to report to the Administration concerned any ship which is observed not to be on any regular, recognised or advertised route, or which crosses the above-mentioned fishing banks during the fishing season, or which, when proceeding to or from ports of the United States, passes through regions known or believed to be endangered by ice.

## ARTICLE 40.

*Collision Regulations.*

Collision regula-  
tions.

The Contracting Governments agree that the alterations in the International Regulations for Preventing Collisions at Sea shown in Annex II are desirable and ought to be made. The Government of the United Kingdom of Great Britain and Northern Ireland is requested to forward full particulars of the alterations to the other Governments who have accepted the International Regulations for Preventing Collisions at Sea, and ascertain whether they will adopt these alterations; to report the result to the Governments represented at this Conference, and to endeavour to arrange that the revised regulations shall come in force on the 1st July, 1931.

## ARTICLE 39.

*Routes de l'Atlantique Nord.*

La pratique consistant à suivre des routes définies pour la traversée de l'Atlantique du Nord, dans l'un et l'autre sens, a contribué à la sauvegarde de la vie humaine en mer; mais les résultats de l'utilisation de ces routes devraient faire l'objet d'enquêtes et d'études plus approfondies permettant d'apporter à la pratique actuelle les modifications dont l'expérience montrerait la nécessité.

Le choix des routes et l'initiative des mesures à prendre à leur égard sont laissés à la charge des compagnies de navigation intéressées. Les Gouvernements contractants prêteront leurs concours à ces compagnies, lorsqu'ils en seront sollicités, en mettant à leur disposition tous les renseignements sur les routes qui peuvent être en la possession des Gouvernements.

Les Gouvernements contractants s'engagent à imposer aux compagnies l'obligation de publier les routes régulières qu'elles se proposent de faire suivre à leurs navires ainsi que tous changements qui peuvent leur être apportés. Ils useront également de leur influence pour inciter les armateurs de tous les navires traversant l'Atlantique à suivre, autant que les circonstances le permettent, les routes définies et pour inciter les armateurs de tous les navires traversant l'Atlantique à destination ou en provenance des ports des États-Unis, en passant au voisinage du grand banc de Terre-Neuve, à éviter, autant qu'il est possible, pendant la saison de pêche, les lieux de pêche de Terre-Neuve au nord du 43<sup>ème</sup> degré de latitude Nord et à faire route en dehors des régions où des glaces dangereuses existent ou sont supposées exister.

L'Administration qui dirige le service de surveillance des glaces est invitée à signaler à l'Administration intéressée tout navire dont on constate la présence en dehors d'une route régulière reconnue ou annoncée, ou qui traverse les bancs de pêche susmentionnés pendant la saison de pêche, ou qui, faisant route à destination ou en provenance d'un port des États-Unis, traverse des régions où des glaces dangereuses existent ou sont supposées exister.

## ARTICLE 40.

*Règles d'abordage.*

Les Gouvernements contractants conviennent que les modifications à apporter au règlement international pour prévenir les abordages en mer, telles qu'elles figurent à l'Annexe II sont désirables et devraient y être apportées. Le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord est prié de transmettre les détails complets de ces modifications aux autres Gouvernements qui ont accepté le Règlement international pour prévenir les Abordages en Mer, de s'assurer qu'ils les adoptent, d'informer les Gouvernements représentés à la Conférence de la suite donnée et, enfin, de s'efforcer de faire mettre en vigueur le règlement modifié à la date du 1<sup>er</sup> juillet 1931.

## ARTICLE 41.

*Helm Orders.*

Helm orders.

The Contracting Governments agree that after midnight on the 30th June, 1931, helm or steering orders, *i. e.*, orders to the steersman, shall on all their ships be given in the direct sense, *e. g.*, when the ship is going ahead an order containing the word "starboard" or "right" or any equivalent of "starboard" or "right" shall only be used when it is intended, on ships as at present generally constructed and arranged, that the wheel, the rudder-blade and the head of the ship, shall all move to the right.

## ARTICLE 42.

*Misuse of Distress Signals.*

Misuse of distress signals.

The use of an international distress signal, except for the purpose of indicating that a vessel is in distress, and the use of any signal which may be confused with an international distress signal, are prohibited on every ship.

## ARTICLE 43.

*Alarm, Distress and Urgency Signals.*

Alarm, distress, and urgency signals.

The alarm signal and the distress signal may only be used by ships in serious and imminent danger which require immediate assistance. In all other cases in which assistance is required, or in which a vessel desires to issue a warning that it may become necessary to send out the alarm signal or the distress signal at a later stage, use must be made of the urgency signal (XXX) established by the International Radiotelegraph Convention, Washington, 1927.

45 Stat. 2871.

If a ship has sent out the alarm or distress signal and subsequently finds that assistance is no longer required such ship shall immediately notify all stations concerned as provided for by the Radiotelegraph Convention in force.

## ARTICLE 44.

*Speed of Distress Messages.*

Distress, etc., messages.

Speed of transmission.

The speed of transmission of messages in connection with cases of distress, urgency or safety, shall not exceed 16 words per minute.

## ARTICLE 45.

*Distress Messages. Procedure.*

Procedure.

1. The master of a ship on receiving on his ship a wireless distress signal from any other ship, is bound to proceed with all speed to the assistance of the persons in distress, unless he is unable, or in the special

## ARTICLE 41.

*Commandements à la Barre.*

Les Gouvernements contractants conviennent qu'à la date du 30 juin 1931 à partir de minuit les commandements à la barre, c'est-à-dire les commandements donnés à l'homme de barre, doivent être donnés, sur tous leurs navires, sous la forme de commandements directs, c'est-à-dire que, le navire allant de l'avant, le mot "tribord" ou "droite" ou tout mot équivalent à "tribord" ou à "droite" ne doit être donné à bord des navires—tels qu'ils sont généralement construits et aménagés de nos jours—que lorsque l'intention est de manœuvrer à droite, et tout à la fois, la roue, le safran du gouvernail et l'avant du navire.

## ARTICLE 42.

*Emploi injustifié des signaux de détresse.*

L'emploi d'un signal international de détresse, sauf s'il s'agit de signaler qu'un navire est en détresse, ainsi que l'emploi d'un signal pouvant être confondu avec un signal international de détresse sont interdits sur tous les navires.

## ARTICLE 43.

*Signaux d'alarme, de détresse et d'urgence.*

Les signaux d'alarme et de détresse peuvent seulement être employés par les navires en danger sérieux et imminent qui ont besoin d'une assistance immédiate. Dans tous les autres cas où on a besoin d'assistance ou dans lesquels un navire désire émettre un avertissement indiquant qu'il pourra être nécessaire de faire ultérieurement le signal d'alarme ou de détresse, il doit être fait usage du signal urgent (XXX) prévu par la Convention Radiotélégraphique Internationale de Washington, 1927.

Si un navire a émis le signal d'alarme ou de détresse et s'il estime ultérieurement que l'assistance n'est plus nécessaire, ce navire doit immédiatement le faire savoir à toutes les stations intéressées conformément à la Convention Radiotélégraphique en vigueur.

## ARTICLE 44.

*Vitesse de transmission des messages de détresse.*

La vitesse de transmission des messages relatifs aux cas de détresse, d'urgence ou de sécurité, ne doit pas dépasser 16 mots par minute.

## ARTICLE 45.

*Messages de détresse. Procédure.*

1. Le Capitaine d'un navire, qui reçoit d'un autre navire un signal de détresse, est tenu de se porter à toute vitesse au secours des personnes en détresse, sauf en cas d'impossibilité ou si, dans des circonstances

circumstances of the case, considers it unreasonable or unnecessary to do so, or unless he is released under the provisions of paragraphs 3 and 4 of this Article.

2. The master of a ship in distress, after consultation, so far as may be possible, with the masters of the ships which answer his call for assistance, has the right to requisition such one or more of those ships as he considers best able to render assistance, and it shall be the duty of the master or masters of the ship or ships requisitioned to comply with the requisition by continuing to proceed with all speed to the assistance of the persons in distress.

3. A master shall be released from the obligation imposed by paragraph 1 of this Article as soon as he is informed by the master of the ship requisitioned, or, where more ships than one are requisitioned, all the masters of the ships requisitioned, that he or they are complying with the requisition.

4. A master shall be released from the obligation imposed by paragraph 1 of this Article, and, if his ship has been requisitioned, from the obligation imposed by paragraph 2 of this Article, if he is informed by a ship which has reached the persons in distress, that assistance is no longer necessary.

5. If a master of a ship, on receiving a wireless distress call from another ship, is unable, or in the special circumstances of the case considers it unreasonable or unnecessary to go to the assistance of that other ship, he must immediately inform the master of that other ship accordingly, and enter in his log-book his reasons for failing to proceed to the assistance of the persons in distress.

6. The provisions of this Article do not prejudice the International Convention for the unification of certain rules with respect to Assistance and Salvage at Sea, signed at Brussels on the 23rd September, 1910, particularly the obligation to render assistance imposed by Article 11 of that Convention.

#### ARTICLE 46.

##### *Signalling Lamp.*

All ships of over 150 tons gross tonnage, when engaged on international voyages, shall have on board an efficient signalling lamp.

#### ARTICLE 47.

##### *Direction-Finding Apparatus.*

Every passenger ship of 5,000 tons gross tonnage and upwards shall, within two years from the date on which the present Convention comes in force, be provided with an approved direction-finding apparatus (radio compass), complying with the provisions of Article 31 (17) of the present Convention.

Certain designated rules not affected.  
37 Stat. 1664.

Signalling lamp.

Direction-finding apparatus.  
*Ante*, p. 1156.



spéciales où il se trouve, il n'estime ni raisonnable, ni utile de le faire, ou s'il est dégagé de cette obligation conformément aux dispositions des paragraphes 3 et 4 du présent article.

2. Le capitaine d'un navire en détresse, après avoir consulté, autant que cela peut être possible, les capitaines des navires qui ont répondu à son appel de secours, a le droit de réquisitionner tel ou tels de ces navires qu'il considère les plus capables de porter secours, et le capitaine ou les capitaines réquisitionnés ont l'obligation de se soumettre à la réquisition en continuant à se rendre à toute vitesse au secours des personnes en détresse.

3. Un capitaine est libéré de l'obligation imposée par le paragraphe 1 du présent article aussitôt dès qu'il sera informé par le capitaine du navire réquisitionné, ou, si plusieurs navires sont réquisitionnés, par les capitaines des navires réquisitionnés, que le capitaine ou les capitaines réquisitionnés se soumettent à la réquisition.

4. Un capitaine est libéré de l'obligation imposée par le paragraphe 1 du présent article et, si son navire a été réquisitionné, de l'obligation imposée par le paragraphe 2 du présent article, s'il est informé par un navire qui est arrivé auprès des personnes en détresse, que le secours n'est plus nécessaire.

5. Si le capitaine d'un navire, au moment où il reçoit un appel de détresse d'un autre navire, est dans l'impossibilité, ou, dans les circonstances spéciales où il se trouve, n'estime ni raisonnable ni utile d'aller au secours de l'autre navire, il doit, immédiatement informer de ce fait le capitaine de l'autre navire et indiquer sur son journal de bord les raisons pour lesquelles il s'est abstenu de se rendre au secours des personnes en détresse.

6. Il n'est pas dérogé par les prescriptions du présent article aux dispositions de la Convention Internationale, pour l'unification de certaines règles en matière d'Assistance et de Sauvetage en mer, signée à Bruxelles le 23 septembre 1910, particulièrement en ce qui concerne l'obligation de porter secours imposée par l'article 11 de ladite Convention.

#### ARTICLE 46.

##### *Fanal à Signaux.*

Tous les navires d'une jauge brute de plus de 150 tonneaux effectuant des voyages internationaux doivent avoir à bord un fanal à signaux efficace.

#### ARTICLE 47.

##### *Radiogoniomètre.*

Tout navire à passagers de 5,000 tonneaux de jauge brute et au-dessus doit, dans les deux ans qui suivront la date de mise en vigueur de la présente Convention, être muni d'un radiogoniomètre (radio-compas) d'un type approuvé conformément aux dispositions de l'Article 31 de la présente Convention.

## ARTICLE 48.

*Manning.*

Manning.

The Contracting Governments undertake, each for its national ships, to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, all ships shall be sufficiently and efficiently manned.

Chapter VI.—Certificates.

## CHAPTER VI.—CERTIFICATES.

## ARTICLE 49.

Issue of.

*Issue of Certificates.*

Safety Certificate.

A certificate called a *Safety Certificate* shall be issued, after inspection and survey, to every passenger ship which complies in an efficient manner with the requirements of Chapters II, III and IV of the Convention.

*Ante*, pp. 1132, 1138, 1146.

Safety Radiotelegraphy Certificate.

A certificate called a *Safety Radiotelegraphy Certificate* shall be issued after inspection to every ship other than a passenger ship which complies in an efficient manner with the requirements of Chapter IV of the present Convention.

Exemption Certificate.

A certificate called an *Exemption Certificate* shall be issued to every ship to which exemption is granted by a Contracting Government under, and in accordance with, the provisions of Chapters II, III and IV of the present Convention.

Inspection and survey of ships.

The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Convention and the annexed Regulations applicable to such ships and the granting of exemptions therefrom, shall be carried out by officers of the country in which the ship is registered, provided that the Government of each country may entrust the inspection and survey of its ships either to Surveyors nominated for this purpose or to organisations recognised by it. In every case the Government concerned fully guarantees the completeness and efficiency of the inspection and survey.

A Safety Certificate, Safety Radiotelegraphy Certificate, and Exemption Certificate shall be issued either by the Government of the country in which the ship is registered or by any person or organisation duly authorised by that Government. In every case that Government assumes full responsibility for the certificate.

## ARTICLE 50.

*Issue of Certificate by Another Government.*

Issue by another Government.

A Contracting Government may, at the request of the Government of a country in which a ship coming under the present Convention is registered, cause that ship to be surveyed, and, if satisfied that the requirements of the present Convention are complied with, issue a Safety Certificate or Safety Radiotelegraphy Certificate to such

## ARTICLE 48.

*Equipe.*

Les Gouvernements contractants s'engagent, en ce qui concerne leurs navires nationaux, à conserver, ou, si c'est nécessaire, à adopter, toutes mesures ayant pour objet de s'assurer qu'au point de vue de la sécurité en mer, tous les navires aient à bord un équipage suffisant en nombre et qualité.

## CHAPITRE VI.—CERTIFICATS.

## ARTICLE 49.

*Délivrance des Certificats.*

Un certificat dit *Certificat de Sécurité*, doit être délivré, après inspection et visite à tout navire à passagers qui aura satisfait d'une manière effective aux prescriptions des chapitres II, III et IV de la présente Convention.

Un certificat dit *Certificat de Sécurité radiotélégraphique* doit être délivré après inspection à tout navire autre qu'un navire à passagers qui satisfait d'une manière effective aux prescriptions du Chapitre IV de la présente Convention.

Un certificat dit *Certificat de Dispense*, doit être délivré à tout navire auquel une dispense est accordée par un Gouvernement Contractant pour l'application et en conformité des prescriptions des Chapitres II, III et IV de la présente Convention.

L'inspection et la visite des navires, en ce qui concerne la mise en vigueur de celles des prescriptions de la présente Convention et des Règles annexées auxquelles ils sont soumis et l'octroi des dispenses qui peuvent leur être accordées, sont effectuées par des agents du pays où le navire est immatriculé. Toutefois le Gouvernement de chaque pays peut confier l'inspection et la visite des navires de ce pays soit à des experts désignés à cet effet, soit à des organismes reconnus par lui. Dans tous les cas, le Gouvernement intéressé garantit complètement l'intégrité et l'efficacité de l'inspection et de la visite.

Le certificat de sécurité, le certificat de sécurité radiotélégraphique, et le certificat de dispense sont délivrés par le Gouvernement du pays où le navire est immatriculé ou par toute autre personne ou organisme dûment autorisé par ce Gouvernement. Dans tous les cas, ce dernier assume la pleine responsabilité du certificat.

## ARTICLE 50.

*Délivrance d'un Certificat par un autre Gouvernement.*

Tout Gouvernement contractant peut, à la requête du Gouvernement d'un pays dans lequel est immatriculé un navire qui tombe sous le coup de la présente Convention, faire inspecter ce navire et, s'il a constaté que les exigences de la présente Convention sont satisfaites, lui délivrer, sous sa propre responsabilité, un certificat de sécurité ou

ship, under its own responsibility. Any certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the country in which the ship is registered, and it shall have the same force and receive the same recognition as a certificate issued under Article 49 of the present Convention.

#### ARTICLE 51.

##### *Form of Certificates.*

Form.

All certificates shall be drawn up in the official language or languages of the country by which they are issued.

*Post*, p. 1268.

The form of the certificates shall be that of the models given in Regulation XLVII. The arrangement of the printed part of the standard certificates shall be exactly reproduced in the certificates issued, or in certified copies thereof, and the particulars inserted by hand shall in the certificates issued, or in certified copies thereof, be inserted in Roman characters and Arabic figures.

The Contracting Governments undertake to communicate one to another a sufficient number of specimens of their certificates for the information of their officers. This exchange shall be made, so far as possible, before the 1st January, 1932.

#### ARTICLE 52.

##### *Duration of Certificates.*

Duration.

Certificates shall not be issued for a period of more than twelve months.

If a ship at the time when its certificate expires is not in a port of the country in which it is registered the certificate may be extended by a duly authorised officer of the country to which the ship belongs; but such extension shall be granted only for the purpose of allowing the ship to complete its return voyage to its own country, and then only in cases in which it appears proper and reasonable so to do.

No certificate shall be extended for a longer period than five months, and a ship to which such extension is granted shall not, on returning to its own country, be entitled by virtue of such extension to leave that country again without having obtained a new certificate.

#### ARTICLE 53.

##### *Acceptance of Certificates.*

Acceptance.

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention. They shall be regarded by the other Contracting Governments as having the same force as the certificates issued by them to their own ships.

un certificat de sécurité radiotélégraphique. Tout certificat délivré dans ces conditions doit porter une déclaration établissant qu'il a été délivré à la requête du Gouvernement du pays où le navire est immatriculé. Ce certificat a la même valeur que le certificat délivré conformément à l'Article 49 de la présente Convention et doit être accepté de la même façon.

#### ARTICLE 51.

##### *Type des Certificats.*

Tous les certificats doivent être rédigés dans la langue ou les langues officielles du pays dans lequel ils sont délivrés.

Le type des certificats doit être conforme aux modèles donnés par la Règle XLVII. Les dispositions typographiques de ces modèles réglementaires doivent être exactement reproduites et les indications portées à la main sur les certificats délivrés ou sur les copies certifiées conformes doivent être écrites en caractères romains et en chiffres arabes.

Les Gouvernements contractants s'engagent à se communiquer mutuellement un nombre suffisant d'exemplaires de leurs certificats pour renseigner leurs fonctionnaires. Cet échange devra se faire, autant que possible, avant le 1<sup>er</sup> janvier 1932.

#### ARTICLE 52.

##### *Durée de la validité des Certificats.*

Les certificats ne doivent pas être délivrés pour une durée de plus de douze mois.

Si, à la date d'expiration de son certificat, un navire ne se trouve pas dans un port du pays où il est immatriculé, la validité du certificat peut être prorogée par un fonctionnaire dûment autorisé du pays dont relève le navire. Une telle prorogation ne doit toutefois être accordée que pour permettre au navire d'achever son voyage de retour à destination de son propre pays et seulement dans le cas où cette mesure apparaîtra comme opportune et raisonnable.

Aucun certificat ne doit être prorogé pour une période de plus de cinq mois et le navire auquel cette prorogation aura été accordée ne sera pas en droit, en vertu de cette prorogation, à son retour dans son pays, de quitter à nouveau ce pays sans avoir renouvelé son certificat.

#### ARTICLE 53.

##### *Acceptation des Certificats.*

Les certificats délivrés au nom d'un Gouvernement contractant doivent être acceptés par les autres Gouvernements contractants pour tout ce qui fait l'objet de la présente Convention. Ils doivent être considérés par les autres Gouvernements contractants comme ayant la même valeur que les certificats délivrés par ceux-ci à leurs propres navires.

## ARTICLE 54.

*Control.*

Control.

Every ship holding a certificate issued under Article 49 or Article 50 is subject, in the ports of the other Contracting Governments, to control by officers duly authorised by such Governments in so far as this control is directed towards verifying that there is on board a valid certificate, and if necessary, that the conditions of the vessel's seaworthiness correspond substantially with the particulars of that certificate; that is to say, so that the ship can proceed to sea without danger to the passengers and the crew.

In the event of this control giving rise to intervention of any kind, the officer carrying out the control shall forthwith inform the Consul of the country in which the ship is registered of all the circumstances in which intervention is deemed to be necessary.

## ARTICLE 55.

*Privileges.*

Privileges.

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a proper valid certificate.

## ARTICLE 56.

*Qualification of Certificate.*

Qualification of certificate.

If in the course of a particular voyage the ship has on board a number of crew and passengers less than the maximum number which the ship is licensed to carry, and is in consequence, in accordance with the provisions of the present Convention, free to carry a smaller number of life-boats and other life-saving appliances than that stated in the certificate, a memorandum may be issued by the officers or other authorised persons referred to in Articles 49 and 52 above.

Ante, pp. 1172, 1174.

This memorandum shall state that in the circumstances there is no infringement of the provisions of the present Convention. It shall be annexed to the certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage in regard to which it is issued.

Chapter VII.—General Provisions.

## CHAPTER VII.—GENERAL PROVISIONS.

## ARTICLE 57.

*Equivalents.*

Equivalents.

Where in the present Convention it is provided that a particular fitting, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular arrangement shall be adopted,

## ARTICLE 54.

*Contrôle.*

Tout navire possédant un certificat délivré en vertu de l'Article 49 ou de l'Article 50 est sujet, dans les ports des autres États contractants, au contrôle de fonctionnaires dûment autorisés par ces Gouvernements, dans la limite où ce contrôle a pour objet de vérifier qu'il existe à bord un certificat valable et, s'il le faut, de s'assurer que le navire est dans un état de navigabilité correspondant en substance aux indications de ce certificat, c'est-à-dire qu'il se trouve dans un état tel qu'il peut prendre la mer sans danger pour les passagers et l'équipage.

Dans le cas où ce contrôle donne lieu à une intervention quelconque, le fonctionnaire exerçant ce contrôle doit informer immédiatement le Consul du pays où le navire est immatriculé de toutes les circonstances qui ont fait considérer cette intervention comme nécessaire.

## ARTICLE 55.

*Bénéfice de la Convention.*

On ne peut réclamer le bénéfice de la présente Convention au profit d'un navire s'il ne possède un certificat régulier et non périmé.

## ARTICLE 56.

*Avenant au Certificat.*

Si, au cours d'un voyage particulier, le nombre des personnes (équipage et passagers) présentes à bord est inférieur au nombre maximum que le navire est autorisé à transporter et si, par suite, ce navire a la faculté, conformément aux prescriptions de la présente Convention, d'avoir à bord un nombre d'embarcations de sauvetage ou d'autres engins de sauvetage inférieur à celui qui est inscrit sur le certificat, un avenant peut être délivré par les fonctionnaires ou les autres personnes mandatées et mentionnées aux Articles 49 et 52 ci-dessus.

Cet avenant doit mentionner que, dans les circonstances existantes, il n'est dérogé à aucune des dispositions de la présente Convention. Il est annexé au certificat et lui est substitué mais seulement pour tout ce qui concerne les engins de sauvetage. Il n'est valable que pour le voyage particulier en vue duquel il est délivré.

## CHAPITRE VII.—DISPOSITIONS GÉNÉRALES.

## ARTICLE 57.

*Équivalence.*

Lorsque dans la présente Convention il est prévu que l'on doit placer ou avoir à bord une installation, un dispositif ou un appareil particulier quelconque ou un certain type d'installation, de dispositif,

any Administration may accept in substitution therefor any other fitting, appliance or apparatus, or type thereof, or any other arrangement, provided that such Administration shall have been satisfied by suitable trials that the fitting, appliance or apparatus, or type thereof, or the arrangement substituted is at least as effective as that specified in the present Convention.

Any Administration which so accepts a new fitting, appliance or apparatus, or type thereof, or new arrangement, shall communicate the fact to the other Administrations, and, upon request, the particulars thereof, together with a report on the trials made.

#### ARTICLE 58.

##### *Laws, Regulations, Reports.*

Laws, regulations,  
reports.

The Contracting Governments undertake to communicate to each other—

(1) the text of laws, decrees and regulations which shall have been promulgated on the various matters within the scope of the present Convention;

(2) all available official reports or official summaries of reports in so far as they show the results of the provisions of the present Convention, provided always that such reports or summaries are not of a confidential nature.

The Government of the United Kingdom of Great Britain and Northern Ireland is invited to serve as an intermediary for collecting all this information and for bringing it to the knowledge of the other Contracting Governments.

#### ARTICLE 59.

##### *Measures taken after Agreement.*

Measures taken  
after agreement.

Where the present Convention provides that a measure may be taken after agreement between all or some of the Contracting Governments, the Government of the United Kingdom of Great Britain and Northern Ireland is invited to approach the other Contracting Governments with a view to ascertaining whether they accept such proposals as may be made by any Contracting Government for effecting such a measure, and to inform the other Contracting Governments of the results of the enquiries thus made.



ou d'appareil, ou encore lorsqu'il est prévu qu'une disposition particulière doit être adoptée, toute Administration peut accepter, en remplacement, tout autre installation, dispositif ou appareil, ou un certain type d'installation, de dispositif ou d'appareil, ou tout autre arrangement, à la condition que l'Administration en question se soit assurée, par des essais convenables, que l'installation, le dispositif, ou l'appareil, ou le type d'installation, de dispositif ou d'appareil, ou la disposition substituée a une efficacité au moins égale à celle qui est spécifiée dans la présente Convention.

Toute Administration qui accepte dans ces conditions une installation, un dispositif ou un appareil nouveau, ou un type nouveau d'installation, de dispositif ou d'appareil, ou une nouvelle disposition doit en donner connaissance aux autres Administrations et leur en communiquer, sur demande, la description détaillée en même temps qu'un rapport sur les essais effectués.

#### ARTICLE 58.

##### *Lois, Règlements, Rapports.*

Les Gouvernements contractants s'engagent à se communiquer les uns aux autres:

(1) le texte des lois, décrets et règlements qui auront été promulgués sur les différentes matières qui rentrent dans le champ de la présente Convention.

(2) tous les rapports officiels ou résumés officiels de rapports dont ils pourraient disposer, dans la mesure où ces documents montrent les résultats des dispositions de la présente Convention et à la condition, bien entendu, que ces rapports ou résumés de rapports n'aient pas un caractère confidentiel.

Le Gouvernement du Royaume Uni de la Grande Bretagne et de l'Irlande du Nord est invité à servir d'intermédiaire pour rassembler tous ces renseignements et les porter à la connaissance des autres Gouvernements contractants.

#### ARTICLE 59.

##### *Mesures prises après accords.*

Dans le cas où la présente Convention prévoit qu'une mesure peut être prise après un accord entre tous les Gouvernements contractants, ou seulement quelques-uns d'entre eux, le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord est invité à se mettre en rapport avec les autres Gouvernements contractants dans le but de savoir s'ils acceptent les propositions qui pourraient être faites par un quelconque des Gouvernements contractants, en vue de la réalisation de semblables mesures et, en outre, d'informer les autres Gouvernements contractants du résultat de la consultation à laquelle il sera ainsi procédé.

## ARTICLE 60.

*Prior Treaties and Conventions.*

Prior treaties and  
conventions.

1. The present Convention replaces and abrogates the Convention for the Safety of Life at Sea, which was signed at London on the 20th January, 1914.

2. All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, at present in force between Governments parties to the present Convention, shall continue to have full and complete effect during the terms thereof as regards—

(a) ships to which the present Convention does not apply;

(b) ships to which the present Convention applies, in respect of subjects for which it has not expressly provided.

To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

3. All subjects which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

## ARTICLE 61.

*Modifications. Future Conferences.*

Modifications.

1. Modifications of the present Convention which may be deemed useful or necessary improvements may be at any time proposed by any Contracting Government to the Government of the United Kingdom of Great Britain and Northern Ireland, and such proposals shall be communicated by the latter to all the other Contracting Governments, and if any such modifications are accepted by all the Contracting Governments (including Governments which have deposited ratifications or accessions which have not yet become effective) the present Convention shall be modified accordingly.

Conferences.

2. Conferences for the purpose of revising the present Convention shall be held at such times and places as may be agreed upon by the Contracting Governments.

A Conference for this purpose shall be convoked by the Government of the United Kingdom of Great Britain and Northern Ireland whenever, after the present Convention has been in force for five years, one-third of the Contracting Governments express a desire to that effect.

## ARTICLE 60.

*Traités et Conventions antérieurs.*

1. La présente Convention remplace et annule la Convention pour la Sauvegarde de la Vie Humaine en Mer signée à Londres le 20 janvier 1914.

2. Tous les autres traités, conventions ou accords qui concernent la sauvegarde de la vie humaine en mer ou les questions qui s'y rapportent et qui sont actuellement en vigueur entre les Gouvernements parties à la présente Convention, conservent leur plein et complet effet pendant la durée qui leur est assignée en ce qui concerne:

- (a) les navires auxquels la présente Convention ne s'applique pas;
- (b) les navires auxquels la présente Convention s'applique en ce qui concerne les points qui ne font pas l'objet de prescriptions expresses dans la présente Convention.

Au cas où, cependant, de tels traités, conventions, ou accords seraient en opposition avec les dispositions de la présente Convention, les dispositions de cette dernière doivent prévaloir.

3. Tous les points qui ne font pas l'objet de prescriptions expresses dans la présente Convention restent soumis à la législation des Gouvernements contractants.

## ARTICLE 61.

*Modifications, Conférences futures.*

1. Les modifications à la présente Convention qui pourraient être considérées comme des améliorations utiles ou nécessaires peuvent en tout temps être proposées par un Gouvernement contractant au Gouvernement du Royaume Uni de Grande-Bretagne et de l'Irlande du Nord. Ces propositions doivent être communiquées par ce dernier à tous les autres Gouvernements contractants et si l'une quelconque de ces modifications est acceptée par tous les Gouvernements contractants (y compris les Gouvernements ayant déposé des ratifications ou adhésions qui ne sont pas encore devenues effectives) la présente Convention doit être modifiée en conséquence.

2. Des conférences ayant pour objet la révision de la présente Convention se tiendront aux dates et lieux dont pourront convenir les Gouvernements contractants.

Une telle Conférence doit être convoquée par le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord chaque fois que, la présente Convention ayant été en vigueur pendant cinq ans, un tiers des Gouvernements contractants en exprime le désir.

## CHAPTER VIII.—FINAL PROVISIONS.

## ARTICLE 62.

*Application to Colonies, &c.*Application to colonies,  
etc.

1. A Contracting Government may, at the time of signature, ratification, accession or thereafter, by a declaration in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, declare its desire that the present Convention shall apply to all or any of its colonies, overseas territories, protectorates or territories under suzerainty or mandate, and the present Convention shall apply to all the territories named in such declaration, two months after the date of the receipt thereof, but failing such declaration, the present Convention will not apply to any such territories.

2. A Contracting Government may at any time by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland express its desire that the present Convention shall cease to apply to all or any of its colonies, overseas territories, protectorates or territories under suzerainty or mandate to which the present Convention shall have, under the provisions of the preceding paragraph, been applicable for a period of not less than five years, and in such case the present Convention shall cease to apply one year after the date of the receipt of such notification by the Government of the United Kingdom of Great Britain and Northern Ireland to all territories mentioned therein.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all the other Contracting Governments of the application of the present Convention to any colony, overseas territory, protectorate or territory under suzerainty or mandate under the provisions of paragraph 1 of this Article, and of the cessation of any such application under the provisions of paragraph 2, stating in each case the date from which the present Convention has become or will cease to be applicable.

## ARTICLE 63.

*Authentic Texts. Ratification.*

Authentic texts.

The present Convention of which both the English and French texts shall be authentic shall bear this day's date.

Ratification.

The present Convention shall be ratified.

Deposit of.

The instruments of ratification shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland which will notify all the other signatory or acceding Governments of all ratifications deposited and the date of their deposit.

## ARTICLE 64.

*Accession.*

Accession.

A Government (other than the Government of a territory to which Article 62 applies) on behalf of which the present Convention has not

## CHAPITRE VIII.—DISPOSITIONS FINALES.

## ARTICLE 62.

*Application aux Colonies, &c.*

1. Un Gouvernement contractant peut, au moment de la signature, de la ratification ou de l'adhésion, ou ultérieurement, notifier par une déclaration écrite adressée au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord son intention d'appliquer la présente Convention dans toutes ses colonies, territoires d'outre-mer, protectorats ou pays sous suzeraineté ou mandat, ou dans certains d'entre eux. La présente Convention doit s'appliquer dans tous les territoires désignés dans une telle déclaration deux mois après la date à laquelle elle aura été reçue, mais à défaut d'une telle déclaration, la présente Convention ne s'appliquera dans aucun de ces territoires.

2. Un Gouvernement contractant peut, à toute époque, par déclaration écrite, adressée au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord, faire connaître son intention de faire cesser l'application de la présente Convention dans toutes ses colonies, territoires d'outre-mer, protectorats ou territoires sous suzeraineté ou mandat, ou dans certains d'entre eux, auxquels la présente Convention aura dû être appliquée pour une période de cinq ans au moins conformément aux dispositions du paragraphe précédent. Dans ce cas, la présente Convention doit cesser de s'appliquer dans tous les territoires mentionnés un an après la date de la réception de cette déclaration par le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord.

3. Le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord doit informer tous les autres Gouvernements contractants de l'application de la présente Convention dans toute colonie, territoire d'outre-mer, protectorat ou territoire sous suzeraineté ou mandat conformément aux dispositions du paragraphe (1) du présent article et de la cessation de cette application, conformément aux dispositions du paragraphe (2), en spécifiant dans chaque cas, la date à partir de laquelle la présente Convention est devenue ou cessera d'être applicable.

## ARTICLE 63.

*Textes authentiques. Ratification.*

La présente Convention dont les textes en anglais et en français sont l'un et l'autre authentiques porte la date de ce jour.

La présente Convention doit être ratifiée.

Les actes de ratification doivent être déposés dans les archives du Gouvernement du Royaume-Uni de la Grande-Bretagne, et de l'Irlande du Nord, qui notifiera à tous les autres Gouvernements signataires ou adhérents, toutes les ratifications déposées, ainsi que la date de leur dépôt.

## ARTICLE 64.

*Adhésion.*

Un Gouvernement (autre que le Gouvernement d'un territoire auquel l'Article 62 s'applique), au nom duquel la présente Convention

been signed shall be allowed to accede thereto at any time after the Convention has come into force. Accessions may be effected by means of notifications in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, and shall take effect three months after their receipt.

The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all signatory and acceding Governments of all accessions received and of the date of their receipt.

A Government which intends to accede to the present Convention but desires to add an area to those specified in the Annex to Article 28 shall, before notifying its accession, inform the Government of the United Kingdom of Great Britain and Northern Ireland of its desire for communication to all the other Contracting Governments. If all the Contracting Governments signify their assent thereto, the area shall be added to those mentioned in the aforesaid Annex when such Government notifies its accession.

#### ARTICLE 65.

##### *Date of coming in Force.*

Date of coming into force.

The present Convention shall come into force on the 1st July, 1931, as between the Governments which have deposited their ratifications by that date, and provided that at least five ratifications have been deposited with the Government of the United Kingdom of Great Britain and Northern Ireland. Should five ratifications not have been deposited on that date, the present Convention shall come into force three months after the date on which the fifth ratification is deposited. Ratifications deposited after the date on which the present Convention has come into force shall take effect three months after the date of their deposit.

#### ARTICLE 66.

##### *Denunciation.*

Denunciation.

The present Convention may be denounced on behalf of any Contracting Government at any time after the expiration of five years from the date on which the Convention comes into force in so far as that Government is concerned. Denunciation shall be effected by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, which will notify all the other Contracting Governments of all denunciations received and of the date of their receipt.

A denunciation shall take effect twelve months after the date on which notification thereof is received by the Government of the United Kingdom of Great Britain and Northern Ireland.

n'a pas été signée, est admis à y adhérer à toute époque après l'entrée en vigueur de ladite Convention. Les adhésions peuvent se faire par des notifications écrites adressées au Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord. Ces adhésions doivent prendre effet trois mois après la date de leur réception.

Le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord doit informer tous les Gouvernements signataires et adhérents de toutes les adhésions reçues et de la date de leur réception.

Un Gouvernement qui se propose d'adhérer à la présente Convention mais qui désire ajouter une zone à celles spécifiées à l'Annexe de l'Article 28, doit, avant de notifier son adhésion, informer de ce désir le Gouvernement du Royaume Uni de la Grande-Bretagne ou de l'Irlande du Nord afin que celui-ci la communique à tous les Gouvernements Contractants. Si tous les Gouvernements Contractants signifient leur accord sur cette demande, ladite zone doit être ajoutée à celles qui sont mentionnées à l'annexe précitée lorsque le Gouvernement en question notifiera son adhésion.

#### ARTICLE 65.

##### *Date d'entrée en vigueur.*

La présente Convention entrera en vigueur le 1<sup>er</sup> juillet 1931, entre les Gouvernements qui auront, à cette date, déposé leur ratification et à la condition qu'au moins cinq ratifications aient été déposées au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord. Au cas où cinq ratifications n'auraient pas été déposées à cette date, la présente Convention entrera en vigueur trois mois après la date à laquelle la cinquième ratification aura été déposée. Les ratifications déposées postérieurement à la date à laquelle la présente Convention sera entrée en vigueur prendront effet trois mois après la date de leur dépôt.

#### ARTICLE 66.

##### *Dénonciation.*

La présente Convention peut être dénoncée au nom de l'un quelconque des Gouvernements contractants à tout moment après l'expiration d'une période de cinq ans, comptée à partir de la date à laquelle la Convention est entrée en vigueur pour le Gouvernement en question. La dénonciation sera effectuée par une notification écrite adressée au Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord; celui-ci notifiera à tous les autres Gouvernements contractants toutes les dénonciations reçues et la date de leur réception.

Une dénonciation prendra effet douze mois après la date à laquelle cette notification aura été reçue par le Gouvernement du Royaume Uni de la Grande Bretagne et de l'Irlande du Nord.

In faith whereof, the Plenipotentiaries have signed hereafter.

En foi de quoi, les Plénipotentiaires ont apposé ci-dessous leur signature.

Signatures of Plenipotentiaries.

Done at London this thirty-first day of May, 1929, in a single copy, which shall remain deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit certified true copies thereof to all signatory Governments.

Fait à Londres ce trente et unième jour du mois de mai, 1929, en un seul exemplaire qui doit être déposé dans les Archives du Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord, lequel doit en transmettre des copies certifiées conformes à tous les Gouvernements signataires.

STHAMER.

GUSTAV KOENIGS.

ARTHUR WERNER.

WALTER LAAS.

OTTO RIESS.

HERMANN GIESS.

HUGO DOMINIK.

HENRY JAMES FEAKES.

THOMAS FREE.

A. DE GERLACHE DE GOMERY.

G. DE WINNE.

A. JOHNSTON.

LUCIEN PACAUD.

EMIL KROGH.

V. LORCK.

JAVIER DE SALAS.

JOHN WHELAN DULANTY.

E. C. FOSTER.

WALLACE H. WHITE.

ARTHUR J. TYRER.

CHARLES M. BARNES.

GEO. H. ROCK.

CLARENCE S. KEMPF.

DICKERSON N. HOOVER.

W. D. TERRELL.

JOHN G. TAWRESEY.

HERBERT B. WALKER.

CHARLES A. McALLISTER.

GUSTAF WREDE.

V. BERGMAN.

KARL KURTEN.



RIO.

A. HAARBLEICHER.

JEAN MARIE.

F. THOUROUDE.

H. W. RICHMOND.

WESTCOTT ABELL.

A. L. AYRE.

F. W. BATE.

C. H. BOYD.

WILLIAM C. CURRIE.

A. J. DANIEL.

NORMAN HILL.

C. HIPWOOD.

A. MORRELL.

G. L. CORBETT.

E. V. WHISH.

MANSUKHLAL ATMARAM MASTER.

GIULIO INGIANNI.

ALBERTO ALESSIO.

DELFINO ROGERI DI VILLANOVA.

TORQUATO C. GIANNINI.

FRANCESCO MARENA.

ERNESTO FERRETTI.

G. GNEME.

LUIGI BIANCHERI.

YUKIO YAMAMOTO.

SHICHIHEI OTA.

ITARO ISHII.

B. VOGT.

L. T. HANSEN.

ARTH H. MATHIESEN.

C. FOCK.

C. H. DE GOEJE.

A. VAN DRIEL.

J. A. BLAND-V.-D.-BERG.

PHS. VAN OMMEREN.

H. G. J. UULKENS.

ERIK PALMSTIERNA.

NILS GUSTAF NILSSON.

J. ARENS.

K. EGGI.

## Annex I.

## Regulations.

## Construction.

## Definitions.

## ANNEX I.

## REGULATIONS.

## CONSTRUCTION.

## REGULATION I.

*Definitions.*

Subdivision loadline.

(1.) The *subdivision loadline* is the waterline used in determining the subdivision of the ship.

Deepest subdivision loadline.

The *deepest subdivision loadline* is that which corresponds to the greatest draught.

Length of the ship.

(2.) The *length of the ship* is the length measured between perpendiculars taken at the extremities of the deepest subdivision loadline.

Breadth of the ship.

(3.) The *breadth of the ship* is the extreme width from outside of frame to outside of frame at or below the deepest subdivision loadline.

Bulkhead deck.

(4.) The *bulkhead deck* is the uppermost deck up to which the transverse watertight bulkheads are carried.

Margin line.

(5.) The *margin line* is a line drawn parallel to the bulkhead deck at side and 3 inches (76 millimetres) below the upper surface of that deck at side.

Draught.

(6.) The *draught* is the vertical distance from the top of keel amidships to the subdivision loadline in question.

Permeability.

(7.) The *permeability* of a space is the percentage of that space which can be occupied by water.

The volume of a space which extends above the margin line shall be measured only to the height of that line.

Machinery space.

(8.) The *machinery space* is to be taken as extending from the top of keel to the margin line and between the extreme main transverse watertight bulkheads bounding the spaces devoted to the main and auxiliary propelling machinery, boilers when installed, and all permanent coal bunkers.

Passenger spaces.

(9.) *Passenger spaces* are those which are provided for the accommodation and use of passengers, excluding baggage, store, provision and mail rooms.

*Post*, pp. 1190, 1192.

For the purposes of Regulations III and IV, spaces provided below the margin line for the accommodation and use of the crew shall be regarded as passenger spaces.

Volumes.

(10.) In all cases *volumes* shall be calculated to moulded lines.

## ANNEXE I.

## RÈGLEMENT.

## CONSTRUCTION.

## RÈGLE I.

*Définitions.*

(1.) La *ligne de charge de compartimentage* est la flottaison considérée dans la détermination du compartimentage du navire.

La *ligne de charge maximum de compartimentage* est celle qui correspond au tirant d'eau le plus élevé.

(2.) La *longueur du navire* est la longueur mesurée entre les perpendiculaires menées aux extrémités de la ligne de charge maximum de compartimentage.

(3.) La *largeur du navire* est la largeur extrême hors membres mesurée à la ligne de charge maximum de compartimentage ou au-dessous de cette ligne de charge.

(4.) Le *pont de cloisonnement* est le pont le plus élevé jusqu'auquel s'élèvent les cloisons étanches transversales.

(5.) La *ligne de surimmersion* est une ligne tracée sur le bordé, à 76 millimètres (3 pouces), au-dessous de l'intersection de la surface extérieure du bordé avec la surface supérieure du pont de cloisonnement, en abord, parallèlement à ce pont.

(6.) Le *tirant d'eau* est la distance verticale du dessus de la quille au milieu, à la ligne de charge de compartimentage considérée.

(7.) La *perméabilité* d'un espace s'exprime par le pourcentage du volume de cet espace que l'eau peut occuper.

Le volume d'un espace qui s'étend au-dessus de la ligne de surimmersion sera mesuré seulement jusqu'à la hauteur de cette ligne.

(8.) La *tranche des machines* s'étend entre le dessus de la quille et la ligne de surimmersion, d'une part, et, d'autre part, entre les cloisons étanches transversales principales qui limitent l'espace occupé par les machines principales, les machines auxiliaires relatives à la propulsion, les chaudières, s'il y en a, et toutes les soutes à charbon permanentes.

(9.) Les *espaces à passagers* sont ceux qui sont prévus pour le logement et l'usage des passagers à l'exclusion des soutes à bagages, des magasins, des soutes à provisions, et à colis postaux et à dépêches.

Pour l'application des prescriptions des Règles III et IV, les espaces prévus en dessous de la ligne de surimmersion pour le logement et l'usage de l'équipage, seront considérés comme espaces à passagers.

(10.) Dans tous les cas, les *volumes* doivent être les volumes hors membres.

## REGULATION II.

*Floodable Length.*

Floodable length.

(1.) The floodable length at any point of the length of a ship shall be determined by a method of calculation which takes into consideration the form, draught and other characteristics of the ship in question.

(2.) In a ship with a continuous bulkhead deck, the floodable length at a given point is the maximum portion of the length of the ship, having its centre at the point in question, which can be flooded under the definite assumptions hereafter set forth in Regulation III without the ship being submerged beyond the margin line.

(3.) In the case of a ship not having a continuous bulkhead deck, the floodable length at any point may be determined to an assumed continuous margin line, up to which, having regard to sinkage and trim after damage, the sides of the ship and the bulkheads concerned are carried watertight.

## REGULATION III.

*Permeability.*

Permeability.

(1.) The definite assumptions referred to in Regulation II relate to the permeabilities of the spaces below the margin line.

In determining the floodable length, a uniform average permeability shall be used throughout the whole length of each of the following portions of the ship below the margin line:—

- (a) the machinery space as defined in Regulation I (8);
- (b) the portion forward of the machinery space; and
- (c) the portion abaft the machinery space.

(2.)—(a.) For steamships the uniform average permeability throughout the machinery space shall be determined from the formula—

$$80 + 12 \cdot 5 \left( \frac{a-c}{v} \right), \text{ where}$$

a=volume of the passenger spaces, as defined in Regulation I (9), which are situated below the margin line within the limits of the machinery space.

c=volume of between deck spaces below the margin line within the limits of the machinery space which are appropriated to cargo, coal or stores.

v=whole volume of the machinery space below the margin line.

(b.) For ships propelled by internal combustion engines, the uniform average permeability shall be taken as 5 greater than that given by the above formula.

## RÈGLE II.

*Longueur envahissable.*

(1.) Pour chaque point de la longueur du navire la longueur envahissable doit être déterminée par une méthode de calcul tenant compte des formes, du tirant d'eau et des autres caractéristiques du navire considéré.

(2.) Pour un navire dont les cloisons transversales étanches sont limitées par un pont de cloisonnement continu, la longueur envahissable en un point donné est la portion maximum de la longueur du navire, ayant pour centre le point considéré et qui peut être envahie par l'eau dans les conditions hypothétiques définies par la Règle III, sans que le navire s'immerge au delà de la ligne de surimmersion.

(3.) Pour un navire n'ayant pas de pont de cloisonnement continu, la longueur envahissable en chaque point peut être déterminée en considérant une ligne de surimmersion continue, jusqu'à laquelle, compte tenu de l'immersion et du changement d'assiette qui peuvent résulter d'une avarie, la muraille du navire et les cloisons correspondantes sont maintenues étanches.

## RÈGLE III.

*Perméabilité.*

(1.) Les hypothèses visées à la Règle II sont relatives aux perméabilités des volumes, limités supérieurement à la ligne de surimmersion.

Dans la détermination des longueurs envahissables, on adopte une perméabilité moyenne uniforme pour l'ensemble de chacune des trois parties suivantes du navire, limitées supérieurement à la ligne de surimmersion:

- (a) la tranche des machines, comme définie par la Règle I (8);
- (b) la partie du navire à l'avant de la tranche des machines, et
- (c) la partie du navire à l'arrière de la tranche des machines.

(2.)—(a.) Pour les navires à vapeur, la perméabilité moyenne de la tranche des machines sera calculée par la formule

$$80 + 12,5 \left( \frac{a-c}{v} \right)$$

dans laquelle:

- a = volume des espaces à passagers suivant la définition de la Règle I (9), qui sont situés au-dessous de la ligne de surimmersion et compris dans la tranche des machines;
- c = volume des entreponts, affectés aux marchandises, au charbon ou aux provisions de bord, qui sont situés au-dessous de la ligne de surimmersion et compris dans la tranche des machines;
- v = volume total de la tranche des machines au-dessous de la ligne de surimmersion.

(b.) Pour les navires qui ont des moteurs à combustion interne, la perméabilité moyenne uniforme sera égale à la valeur donnée par la formule précédente augmentée de 5.

(c.) Where it is shown to the satisfaction of the Administration that the average permeability, as determined by detail calculation, is less than that given by the formula, the calculated value may be substituted. For the purposes of such calculation, the permeabilities of passenger spaces, as defined in Regulation I (9), shall be taken as 95, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such values as may be approved in each case by the Administration.

(3.) The uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula—

$$63 + 35 \frac{a}{v}, \text{ where}$$

$a$  = volume of the passenger spaces, as defined in Regulation I (9), which are situated below the margin line, before (or abaft) the machinery space, and  
 $v$  = whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.

(4.) If a between deck compartment between two watertight transverse bulkheads contains any passenger or crew space, the whole of that compartment, less any space completely enclosed within permanent steel bulkheads and appropriated to other purposes, shall be regarded as passenger space. If, however, the passenger or crew space in question is completely enclosed within permanent steel bulkheads, only the space so enclosed need be considered as passenger space.

#### REGULATION IV.

##### *Permissible Length of Compartments.*

Permissible length  
of compartments.

Factor of sub-  
division.

(1.) *Factor of Subdivision.*—The maximum permissible length of a compartment having its centre at any point in the ship's length is obtained from the floodable length by multiplying the latter by an appropriate factor called the *factor of subdivision*.

The factor of subdivision shall depend on the length of the ship, and for a given length shall vary according to the nature of the service for which the ship is intended. It shall decrease in a regular and continuous manner—

- (a) as the length of the ship increases, and
- (b) from a factor A, applicable to ships primarily engaged in the carriage of cargo, to a factor B, applicable to ships primarily engaged in the carriage of passengers.

(c.) Lorsqu'on pourra établir, à la satisfaction de l'Administration que la perméabilité moyenne déterminée par un calcul direct est moindre que celle qui résulte de la formule, on pourra substituer à cette dernière la perméabilité calculée directement. Pour ce calcul direct, la perméabilité des espaces affectés aux passagers définis par la Règle I (9) sera prise égale à 95, celle des espaces affectés aux marchandises, au charbon et aux provisions de bord, égale à 60, et celle du double-fond, des soutes à combustible liquide et autres réservoirs sera fixée aux valeurs approuvées dans chaque cas par l'Administration.

(3.) La perméabilité moyenne uniforme sur toute la longueur du navire en avant (ou en arrière) de la tranche des machines, sera déterminée par la formule

$$63 + 35 \frac{a}{v}$$

dans laquelle:

a = volume des espaces à passagers, suivant la définition de la Règle I (9), qui sont situés sous la ligne de surimmersion, en avant (ou en arrière) de la tranche des machines, et  
 v = volume total de la partie du navire au-dessous de la ligne de surimmersion et en avant (ou en arrière) de la tranche des machines.

(4.) Si un compartiment, dans un entrepont, entre deux cloisons étanches transversales, renferme un espace affecté aux passagers ou à l'équipage, on considérera comme espace à passagers l'ensemble de ce compartiment, en déduisant, toutefois, tout espace affecté à un autre service qui serait complètement entouré de cloisons métalliques permanentes. Si, cependant, l'espace en question affecté aux passagers ou à l'équipage est lui-même complètement entouré de cloisons métalliques permanentes, on ne comptera que cet espace comme espace à passagers.

#### RÈGLE IV.

##### *Longueur admissible des Compartiments.*

(1.) *Facteur de cloisonnement.*—La longueur maximum admissible pour le compartiment ayant son centre en un point quelconque de la longueur d'un navire, se déduit de la longueur envahissable en multipliant celle-ci par un facteur approprié dit *facteur de cloisonnement*.

Le facteur de cloisonnement doit dépendre de la longueur du navire et, pour une longueur donnée, varier selon la nature du service pour lequel le navire est prévu. Ce facteur doit décroître d'une façon régulière et continue:

- (a) à mesure que la longueur du navire augmente, et
- (b) depuis un facteur A applicable aux navires essentiellement affectés au transport des marchandises, jusqu'à un facteur B applicable aux navires essentiellement affectés au transport des passagers.

The variations of the factors A and B shall be expressed by the following formulæ (i) and (ii) where L is the length of the ship as defined in Regulation I (2):—

L in feet.

$$A = \frac{190}{L-198} + .18 \quad (L=430 \text{ and upwards}).$$
$$B = \frac{100}{L-138} + .18 \quad (L=260 \text{ and upwards}).$$

L in metres.

$$A = \frac{58.2}{L-60} + .18 \quad (L=131 \text{ and upwards}).$$
$$B = \frac{30.3}{L-42} + .18 \quad (L=79 \text{ and upwards}).$$

(i)

(ii)

Criterion of service.

(2.) *Criterion of Service.*—For a ship of given length the appropriate factor of subdivision shall be determined by the Criterion of Service Numeral (hereinafter called the Criterion Numeral) as given by the following formulæ (iii) and (iv) where:—

- C<sub>s</sub> = the Criterion Numeral;
- L = length of the ship, as defined in Regulation I (2);
- M = the volume of the machinery space, as defined in Regulation I (8); with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottom and before or abaft the machinery space;
- P = the whole volume of the passenger spaces below the margin line, as defined in Regulation I (9);
- V = the whole volume of the ship below the margin line;
- P<sub>1</sub> = KN where:—
  - N = number of passengers for which the ship is to be certified, and
  - K has the following values:—

	Value of K.
Length in feet and volumes in cubic feet . . . . .	.6 L.
Length in metres and volumes in cubic metres . . . . .	.056 L.

Where the value of KN is greater than the sum of P and the whole volume of the actual passenger spaces above the margin line the lower figure may be taken provided that the value of P<sub>1</sub> used is not less than ⅔ KN.

When P<sub>1</sub> is greater than P

$$C_s = 72 \frac{M + 2P_1}{V + P_1 - P} \quad \dots \dots \dots (iii)$$

and in other cases

$$C_s = 72 \frac{M + 2P}{V} \quad \dots \dots \dots (iv)$$

For ships not having a continuous bulkhead deck the volumes are to be taken up to the actual margin lines used in determining the floodable lengths.

Rules for subdivision.

(3.) *Rules for Subdivision.*—(a.) *The subdivision abaft the fore peak* of ships 430 feet (131 metres) in length and upwards having a criterion numeral of 23 or less shall be governed by the factor A given by formula (i); of those having a criterion numeral of 123 or more by the



Les variations des facteurs A et B sont données par les formules (i) et (ii) suivantes, dans lesquelles L est la longueur du navire définie par la Règle I (2).

L en mètres.	L en pieds.
$A = \frac{58,2}{L-60} + 0,18$ (L=131 et au-dessus).	$A = \frac{190}{L-198} + 0,18$ (L=430 et au-dessus). . . . . (i)
$B = \frac{30,3}{L-42} + 0,18$ (L=79 et au-dessus).	$B = \frac{100}{L-138} + 0,18$ (L=260 et au-dessus). . . . . (ii)

(2.) *Critérium de Service.*—Pour un navire de longueur donnée, le facteur de cloisonnement approprié est déterminé à l'aide de la valeur du Critérium de Service (appelé ci-après Critérium) donné par les formules (iii) et (iv) ci-après, dans lesquelles:

$C_s$  = le Critérium;

L = la longueur du navire, définie par la Règle I (2);

M = le volume de la tranche des machines, défini par la Règle I (8), mais en y ajoutant le volume de toutes les soutes permanentes à combustible liquide, situées hors du double-fond et en avant ou en arrière de la tranche des machines;

P = le volume total des espaces à passagers au-dessous de la ligne de surimmersion d'après la définition de la Règle I (9);

V = le volume total du navire au-dessous de la ligne de surimmersion;

$P_1$  = le produit KN;

N = le nombre de passagers pour lequel le navire est destiné à être autorisé; et

K = 0,056 L, si L et V sont mesurés en mètres et mètres cubes respectivement (0.6 L, si L et V sont mesurés en pieds et pieds cubes respectivement).

Si la valeur du produit KN est plus grande que la valeur de la somme de P et du volume total réel affecté aux passagers, au-dessus de la ligne de surimmersion, on peut prendre pour  $P_1$  la valeur la plus faible des deux, sous réserve que cette valeur ne soit pas inférieure aux deux tiers de KN.

Si  $P_1$  est plus grand que P on aura

$$C_s = 72 \frac{M + 2P_1}{V + P_1 - P} \dots \dots \dots (iii)$$

et dans les autres cas

$$C_s = 72 \frac{M + 2P}{V} \dots \dots \dots (iv)$$

Dans le cas des navires n'ayant pas de pont de cloisonnement continu, on calculera les volumes jusqu'à la ligne de surimmersion effectivement considérée dans le calcul de la longueur envahissable.

(3.) *Prescriptions pour le Compartimentage.*—(a.) *Le cloisonnement en arrière de la cloison d'abordage* des navires ayant une longueur de 131 mètres (430 pieds) et au-dessus et dont le critérium est au plus égal à 23, doit être déterminé par le facteur A donné par la formule (i);

factor B given by formula (ii); and of those having a criterion numeral between 23 and 123 by the factor F obtained by linear interpolation between the factors A and B, using the formula:—

$$F = A - \frac{(A-B)(C_s-23)}{100} \dots \dots \dots (v)$$

Where the factor F is less than .40 and it is shown to the satisfaction of the Administration to be impracticable to comply with the factor F in a machinery compartment of the ship, the subdivision of such compartment may be governed by an increased factor, which, however, shall not exceed .40.

(b.) *The subdivision abaft the fore peak* of ships less than 430 feet (131 metres) but not less than 260 feet (79 metres) in length having a criterion numeral equal to S, where  $S = \frac{9382-20L}{34}$  (L in feet)  $= \frac{3574-25L}{13}$  (L in metres) shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor B given by the formula (ii); of those having a criterion numeral between S and 123 by the factor F obtained by linear interpolation between unity and the factor B, using the formula:—

$$F = 1 - \frac{(1-B)(C_s-S)}{123-S} \dots \dots \dots (vi)$$

(c.) *The subdivision abaft the fore peak* of ships less than 430 feet (131 metres) but not less than 260 feet (79 metres) in length and having a criterion numeral less than S, and of all ships less than 260 feet (79 metres) in length shall be governed by the factor unity, unless it is shown to the satisfaction of the Administration to be impracticable to comply with this factor in any part of the ship, in which case, the Administration may allow such relaxation as may appear to be justified, having regard to all the circumstances.

(d.) The provisions of sub-paragraph (c) shall apply also to ships of whatever length, which are to be certified to carry a number of passengers exceeding 12 but not exceeding  $\frac{L^2 \text{ (in feet)}}{7000} \left( \frac{L^2 \text{ (in metres)}}{650} \right)$  or 50, whichever is the less.

#### REGULATION V.

##### *Special Rules concerning Subdivision.*

Special rules concerning subdivision.

(1.) A compartment may exceed the permissible length determined by the rules of Regulation IV provided the combined length of each pair of adjacent compartments to which the compartment in question is common does not exceed either the floodable length or twice the permissible length, whichever is the less.

de ceux qui ont un critérium au moins égal à 123, par le facteur B donné par la formule (ii); enfin, de ceux qui ont un critérium compris entre 23 et 123, par un facteur F obtenu par interpolation linéaire, à l'aide de la formule:

$$F = A - \frac{(A-B)(C_s-23)}{100} \dots \dots \dots (v)$$

Si le facteur F est inférieur à 0.40 et s'il est établi, à la satisfaction de l'Administration, qu'il est pratiquement impossible d'adopter ce facteur pour un compartiment de la tranche des machines du navire considéré, le cloisonnement de ce compartiment peut être déterminé avec un facteur plus élevé, pourvu, toutefois, que ce facteur ne soit pas supérieur à 0.40.

(b.) *Le cloisonnement en arrière de la cloison d'abordage des navires* ayant moins de 131 mètres (430 pieds), mais pas moins de 79 mètres (260 pieds) de longueur, dont le critérium aura la valeur S donnée par la formule:

$$S = \frac{3574-25L}{13} (L \text{ en mètres}) = \frac{9382-20L}{34} (L \text{ en pieds})$$

doit être déterminé par un facteur égal à l'unité, de ceux dont le critérium est égal ou supérieur à 123, par le facteur B donné par la formule (ii), enfin, de ceux dont le critérium est compris entre S et 123, par un facteur obtenu par interpolation linéaire entre l'unité et le facteur B, au moyen de la formule:

$$F = 1 - \frac{(1-B)(C_s-S)}{123-S} \dots \dots \dots (vi)$$

(c.) *Le cloisonnement en arrière de la cloison d'abordage des navires* ayant moins de 131 mètres (430 pieds) de longueur, mais pas moins de 79 mètres (260 pieds) dont le critérium est moindre que S, et de tous les navires ayant moins de 79 mètres (260 pieds) de longueur, doit être déterminé par un facteur égal à l'unité, à moins qu'il ne soit établi à la satisfaction de l'Administration qu'il est pratiquement impossible de maintenir ce facteur dans tout ou partie du navire; dans ce cas, l'Administration pourra accorder des tolérances dans la mesure qui lui paraîtra justifiée par les circonstances.

(d.) Les prescriptions de l'alinéa (c) s'appliqueront également, quelle qu'en soit la longueur, aux navires qui seront prévus pour porter un nombre de passagers dépassant douze (12), mais ne dépassant pas le plus petit des deux nombres  $\frac{L^2 (L \text{ en mètres})}{650}$   $\left( \frac{L^2 (L \text{ en pieds})}{7000} \right)$  ou 50.

#### RÈGLE V.

##### *Prescriptions spéciales relatives au Compartimentage.*

(1.) Un compartiment peut dépasser la longueur admissible fixée par les prescriptions de la Règle IV, pourvu que la longueur de chacune des deux paires de compartiments adjacents, comprenant chacune le compartiment en question ne dépasse ni la longueur envahissable, ni deux fois la longueur admissible.

If one of the two adjacent compartments is situated inside the machinery space, and the second is situated outside the machinery space, and the average permeability of the portion of the ship in which the second is situated differs from that of the machinery space, the combined length of the two compartments shall be adjusted to the mean average permeability of the two portions of the ship in which the compartments are situated.

Where the two adjacent compartments have different factors of subdivision, the combined length of the two compartments shall be determined proportionately.

(2.) In ships 430 feet (131 metres) in length and upwards, one of the main transverse bulkheads abaft the fore peak shall be fitted at a distance from the forward perpendicular which is not greater than the permissible length.

(3.) A main transverse bulkhead may be recessed provided that all parts of the recess lie inboard of vertical surfaces on both sides of the ship, situated at a distance from the shell plating equal to one-fifth the breadth of the ship, as defined in Regulation I (3), and measured at right angles to the centreline at the level of the deepest subdivision loadline.

Any part of a recess which lies outside these limits shall be dealt with as a step in accordance with the following paragraph.

(4.) A main transverse bulkhead may be stepped provided that—

(a) the combined length of the two compartments, separated by the bulkhead in question, does not exceed 90 per cent. of the floodable length, or

(b) additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead.

(5.) Where a main transverse bulkhead is recessed or stepped, an equivalent plane bulkhead shall be used in determining the subdivision.

(6.) If the distance between two adjacent main transverse bulkheads, or their equivalent plane bulkheads, or the distance between the transverse planes passing through the nearest stepped portions of the bulkheads, is less than 10 feet (3.05 metres) plus 2 per cent. of the length of the ship, only one of these bulkheads shall be regarded as forming part of the subdivision of the ship in accordance with the provisions of Regulation IV.

(7.) Where a main transverse watertight compartment contains local subdivision and it can be shown to the satisfaction of the Administration that, after any assumed side damage extending over a length of 10 feet (3.05 metres) plus 2 per cent. of the length of the ship, the whole volume of the main compartment will not be flooded, a proportionate allowance may be made in the permissible length otherwise required for such compartment.

Si l'un des deux compartiments adjacents est situé dans la tranche des machines et le second en dehors de la tranche des machines, et si la perméabilité moyenne de la portion du navire où le second est situé n'est pas la même que celle de la tranche des machines, la longueur combinée des deux compartiments doit être corrigée en prenant pour base la moyenne des perméabilités des deux portions du navire auquel les compartiments en question appartiennent.

Lorsque les deux compartiments adjacents ont des facteurs de cloisonnement différents, la longueur combinée de ces deux compartiments doit être déterminée proportionnellement.

(2.) Pour les navires d'au moins 131 mètres (430 pieds) de longueur, une des cloisons principales transversales en arrière de la cloison d'abordage doit être placée à une distance de la perpendiculaire avant au plus égale à la longueur admissible.

(3.) Une cloison transversale principale peut présenter une niche, pourvu qu'aucun point de la niche ne dépasse vers l'extérieur du navire deux surfaces verticales menées de chaque bord à une distance du bord égale à  $\frac{1}{4}$  de la largeur du navire définie par la Règle I (3), cette distance étant mesurée normalement au plan diamétral du navire et dans le plan de la ligne de charge maximum de compartimentage.

Si une partie d'une niche dépasse les limites ainsi fixées, cette partie sera considérée comme une baïonnette et on lui appliquera les règles du paragraphe suivant.

(4.) Une cloison transversale principale peut être à baïonnette, pourvu:

(a) que la longueur combinée des deux compartiments séparés par la cloison en question n'excède pas 90 pour cent de la longueur envahissable; ou bien

(b) que par le travers de la baïonnette, un compartimentage supplémentaire soit prévu pour maintenir le même degré de sécurité que si la cloison était plane.

(5.) Lorsqu'une cloison transversale principale présente une niche ou une baïonnette, on la remplacera dans la détermination du cloisonnement par une cloison plane équivalente.

(6.) Si la distance entre deux cloisons transversales principales adjacentes, ou entre les cloisons planes équivalentes, ou enfin la distance entre deux plans verticaux passant par les points les plus rapprochés des baïonnettes, s'il y en a, est inférieure à 3 mètres 05 (10 pieds) plus 2 pour cent de la longueur du navire, une seule de ces cloisons sera acceptée comme faisant partie du cloisonnement du navire tel qu'il est prescrit par la Règle IV.

(7.) Lorsqu'un compartiment principal étanche transversal est lui-même compartimenté, s'il peut être établi à la satisfaction de l'Administration que, dans l'hypothèse d'une avarie s'étendant sur une longueur de 3m. 050 (10 pieds) plus 2 pour cent de la longueur du navire, le volume total du compartiment principal ne peut être rempli, une augmentation proportionnée peut être accordée sur la longueur admissible déterminée sans tenir compte de ce compartimentage supplémentaire.

In such a case the volume of effective buoyancy assumed on the undamaged side shall not be greater than that assumed on the damaged side.

(8.) Where it is proposed to fit watertight decks, inner skins or longitudinal bulkheads, watertight or non-watertight, the Administration shall be satisfied that the safety of the ship will not be diminished in any respect, particularly having in view the possible listing effect of flooding in way of such structural arrangements.

#### REGULATION VI.

##### *Peak and Machinery Space Bulkheads, Shaft Tunnels, &c.*

Peak and machinery space bulkheads, shaft tunnels, etc.

(1.) Every ship shall have a forepeak or collision bulkhead, which shall be watertight up to the bulkhead deck. This bulkhead shall be fitted not less than 5 per cent. of the length of the ship, and not more than 10 feet (3.05 metres) plus 5 per cent. of the length of the ship from the forward perpendicular.

If the ship has a long forward superstructure, the forepeak bulkhead shall be extended weathertight to the deck next above the bulkhead deck. The extension need not be fitted directly over the bulkhead below, provided it is at least 5 per cent. of the length of the ship from the forward perpendicular, and the part of the bulkhead deck which forms the step is made effectively weathertight.

*Ante*, p. 1188.

(2.) An afterpeak bulkhead, and bulkheads dividing the machinery space, as defined in Regulation I (8), from the cargo and passenger spaces forward and aft, shall also be fitted and made watertight up to the bulkhead deck. The afterpeak bulkhead may, however, be stopped below the bulkhead deck, provided the degree of safety of the ship as regards subdivision is not thereby diminished.

(3.) In all cases stern tubes shall be enclosed in watertight spaces. The stern gland shall be situated within a watertight shaft tunnel or other space of such volume that if flooded by leakage through the stern gland the margin line will not be submerged.

#### REGULATION VII.

##### *Assigning, Marking and Recording of Subdivision Loadlines.*

Subdivision loadlines.

Assigning, marking, and recording.  
*Ante*, p. 1134.

(1.) The subdivision loadlines assigned and marked under the provisions of Article 5 of the Convention shall be recorded in the Safety Certificate, and shall be distinguished by the notation C.1 for the principal passenger condition, and C.2, C.3, &c., for the alternative conditions.

Dans ce cas, le volume de la réserve de flottabilité supposé intact du côté opposé à l'avarie ne devra pas être supérieur à celui qui est supposé intact du côté de l'avarie.

(8.) Lorsqu'on proposera de construire des ponts étanches, des double-coques ou des cloisons longitudinales étanches ou non, l'Administration s'assurera que la sécurité du navire n'est diminuée sous aucun rapport, en tenant spécialement compte de la bande qui peut se produire en cas d'invasissement de ces parties de la coque.

#### RÈGLE VI.

*Cloisons d'extrémité, Cloisons limitant la Tranche des Machines, Tunnels des Lignes d'arbres, &c.*

(1.) Tout navire doit être pourvu d'une cloison de coqueron avant ou d'abordage qui doit être étanche jusqu'au pont de cloisonnement. Cette cloison doit être placée à une distance de la perpendiculaire avant égale au moins à 5 pour cent de la longueur du navire et au plus à 3m. 05 (10 pieds) plus 5 pour cent de la longueur du navire.

S'il existe à l'avant une longue superstructure, une cloison étanche aux intempéries doit être établie au-dessus de la cloison d'abordage entre le pont de cloisonnement et le pont situé immédiatement au-dessus. Le prolongement de la cloison d'abordage peut ne pas être placé directement au-dessus de celle-ci, pourvu que ce prolongement soit à une distance de la perpendiculaire avant au moins égale à 5 pour cent de la longueur du navire et que la partie du pont de cloisonnement qui forme baïonnette soit effectivement étanche aux embruns.

(2.) Il y aura également une cloison de coqueron arrière et des cloisons séparant la tranche des machines, telle qu'elle est définie par la Règle I (8), des espaces à passagers et marchandises situés à l'avant et à l'arrière; ces cloisons doivent être étanches jusqu'au pont de cloisonnement. Toutefois, la cloison du coqueron arrière peut être arrêtée au-dessous de ce pont, pourvu que le degré de sécurité du navire en ce qui concerne le compartimentage ne soit pas diminué de ce fait.

(3.) Dans tous les cas, les tubes de sortie d'arbres arrière doivent être enfermés dans des espaces étanches. Le presse étoupe arrière doit être placé à l'intérieur d'un tunnel étanche ou dans un autre espace d'un volume assez réduit pour qu'il puisse être rempli par une fuite du presse-étoupe sans que la ligne de surimmersion soit immergée.

#### RÈGLE VII.

*Détermination, Marquage et Inscription des Lignes de charge de Compartimentage.*

(1.) Les lignes de charge de compartimentage déterminées et tracées conformément aux prescriptions de l'Article 5 de la Convention doivent être mentionnées sur le Certificat de Sécurité en désignant par la notation C.1 celle qui se rapporte au cas où le navire est employé principalement au service des passagers, et par les notations C.2, C.3, &c., celles qui se rapportent aux autres cas d'utilisation de navire.

(2.) The freeboard corresponding to each of these loadlines inserted in the Safety Certificate shall be measured at the same position and from the same deck line as the freeboards determined by recognised national Freeboard Regulations.

(3.) In no case shall any subdivision loadline mark be placed above the deepest loadline in salt water as determined by the strength of the ship and/or recognised national Freeboard Regulations.

(4.) Whatever may be the position of the subdivision loadline marks, a ship shall in no case be loaded so as to submerge the loadline mark appropriate to the season and locality as determined by the recognised national Freeboard Regulations.

#### REGULATION VIII.

Watertight bulk-  
heads, etc.

#### *Construction and Initial Testing of Watertight Bulkheads, &c.*

Construction and  
initial testing of.

(1.) Watertight subdivision bulkheads, whether transverse or longitudinal, shall be constructed in such a manner that they shall be capable of supporting with a proper margin of resistance, the pressure due to a head of water up to the margin line in way of each bulkhead. The construction of these bulkheads shall be to the satisfaction of the Administration.

(2.) Steps and recesses in bulkheads shall be watertight and as strong as the bulkhead at the place where each occurs.

Where frames or beams pass through a watertight deck or bulkhead, such deck or bulkhead shall be made structurally watertight without the use of wood or cement.

(3.) Testing main compartments by filling them with water is not compulsory. A complete examination of the bulkheads shall be made by a surveyor; and, in addition, a hose test shall be made in all cases.

(4.) The forepeak shall be tested with water to a head up to the deepest subdivision loadline.

(5.) Double bottoms, including duct keels, and inner skins are to be subjected to a head of water up to the margin line.

(6.) Tanks which are intended to hold liquids, and which form part of the subdivision of the ship, shall be tested for tightness with water to a head up to the deepest subdivision loadline or to a head corresponding to two-thirds of the depth from the top of keel to the margin line in way of the tanks, whichever is the greater; provided that in no case shall the test head be less than 3 feet (.92 metre) above the top of the tank.



(2.) Le franc-bord correspondant à chacune de ces lignes de charge, inscrit au Certificat de Sécurité doit être mesuré au même emplacement et à partir de la même ligne de pont que les francs-bords déterminés conformément aux Règles nationales de franc-bord reconnues.

(3.) Dans aucun cas, une marque de ligne de charge de compartimentage ne peut être placée au-dessus de la ligne de charge maximum en eau salée déterminée par la solidité du navire et ou par les tables nationales de franc-bord reconnues.

(4.) Quelle que soit la position des marques de lignes de charge de compartimentage, un navire ne doit jamais être chargé de façon à immerger la ligne de charge correspondant à la saison et à la région du globe, tracée conformément aux Règles nationales de franc-bord reconnues.

### RÈGLE VIII.

#### *Construction et Épreuves initiales des Cloisons étanches, Doubles-fonds, &c.*

(1.) Les cloisons étanches de compartimentage, qu'elles soient transversales ou longitudinales,, doivent être construites de manière à pouvoir supporter, avec une marge de résistance convenable, la pression due à une colonne d'eau s'élevant, jusqu'à la ligne de surimmersion par le travers de chacune d'elles. La construction de ces cloisons doit donner satisfaction à l'Administration.

(2.) Les baionnettes et niches pratiquées dans les cloisons doivent être étanches et présenter la même résistance que les parties avoisinantes de la cloison.

Quand des membrures ou des barrots traversent un pont étanche ou une cloison étanche, ce pont et cette cloison doivent être rendus étanches par leur construction même, sans l'emploi de bois ou de ciment.

(3.) L'essai par remplissage des compartiments principaux n'est pas obligatoire. Un examen complet des cloisons doit être fait par un inspecteur agréé; cet examen doit être complété dans tous les cas par un essai à la lance.

(4.) Le coqueron avant doit être soumis à un essai par remplissage, le niveau de l'eau s'élevant jusqu'à la ligne de charge maximum de compartimentage.

(5.) Les doubles-fonds y compris les quilles tubulaires et les parois internes des doubles coques doivent être essayés sous une charge d'eau montant jusqu'à la ligne de surimmersion.

(6.) Les citernes qui doivent contenir des liquides et qui forment une partie du compartimentage du navire doivent être éprouvées pour vérification de l'étanchéité sous une charge d'eau correspondant soit à la ligne de charge maximum de compartimentage, soit aux deux tiers du creux mesuré depuis le dessus de la quille jusqu'à la ligne de surimmersion, par le travers de la citerne en prenant la plus grande de ces charges, toutefois la hauteur de charge au-dessus du plafond ne doit être en aucun cas inférieure à 0m. 92 (3 pieds).

## REGULATION IX.

*Openings in Watertight Bulkheads.*

Openings in watertight bulkheads.

(1.) The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings.

(2.)—(a.) Where pipes, scuppers, electric-light cables, &c., are carried through watertight subdivision bulkheads, arrangements shall be made to ensure the integrity of the watertightness of the bulkheads.

(b.) Sluice valves shall not be permitted in the watertight subdivision bulkheads.

(3.)—(a.) No doors, manholes, or access openings are permitted—

(i) in the collision bulkhead below the margin line;

(ii) in watertight transverse bulkheads dividing a cargo space from an adjoining cargo space or from a permanent or reserve bunker, except as provided in paragraph (7).

(b.) The collision bulkhead may be pierced below the margin line by not more than one pipe for dealing with fluid in the fore peak tank, provided that the pipe is fitted with a screwdown valve capable of being operated from above the bulkhead deck, the valve chest being secured inside the fore peak to the collision bulkhead.

(4.)—(a.) Watertight doors fitted in bulkheads between permanent and reserve bunkers, shall be always accessible, except as provided in sub-paragraph 9 (b) for between deck bunker doors.

(b.) Satisfactory arrangements shall be made by means of screens or otherwise, to prevent the coal from interfering with the closing of watertight bunker doors.

(5.) Within the machinery space and apart from bunker and shaft tunnel doors, not more than one door may be fitted in each main transverse bulkhead for inter-communication. These doors shall be located so as to have the sills as high as practicable.

(6.)—(a.) The only types of watertight doors permissible are hinged doors, sliding doors, and doors of other equivalent patterns, excluding plate doors secured only by bolts.

(b.) A hinged door shall be fitted with catches workable from each side of the bulkhead.

(c.) A sliding door may have a horizontal or vertical motion. If required to be hand operated only, the gearing shall be capable of being worked at the door itself and also at an accessible position above the bulkhead deck.

## RÈGLE IX.

*Ouvertures dans les Cloisons étanches.*

(1.) Le nombre des ouvertures pratiquées dans les cloisons étanches doit être réduit au minimum compatible avec les dispositions générales et la bonne exploitation du navire; ces ouvertures doivent être pourvues de dispositifs de fermeture satisfaisants.

(2.)—(a.) Si des tuyautages, dalots, câbles électriques, &c., traversent des cloisons étanches de compartimentage, des dispositions doivent être prises pour maintenir l'intégrité de l'étanchéité de ces cloisons.

(b.) Il n'est pas permis de munir les cloisons étanches de compartimentage de vannes à glissières.

(3.)—(a.) Il ne peut exister ni porte, ni trou d'homme, ni aucun orifice d'accès:

(i) dans la cloison étanche d'abordage, au-dessous de la ligne de surimmersion;

(ii) dans les cloisons transversales étanches séparant un local à marchandises d'un local à marchandises contigu ou d'une soute à charbon permanente ou de réserve, sauf exceptions spécifiées au paragraphe (7) ci-après.

(b.) On peut faire traverser la cloison d'abordage au-dessous de la ligne de surimmersion par un tuyau au plus pour le service du liquide contenu dans le coqueron avant, pourvu que ce tuyau soit muni d'une vanne à fermeture à vis, commandée d'un point au-dessus du pont de compartimentage et dont le corps sera fixé à la cloison d'abordage à l'intérieur du coqueron avant.

(4.)—(a.) Les portes étanches dans les cloisons séparant les soutes permanentes des soutes de réserve doivent être toujours accessibles, sauf toutefois l'exception prévue à l'alinéa 9 (b) pour les portes des soutes d'entrepont.

(b.) Des dispositions satisfaisantes, au moyen d'écrans ou autrement, doivent être prises pour éviter que le charbon n'empêche la fermeture des portes étanches des soutes à charbon.

(5.) Dans la tranche des machines, exclusion faite des portes des soutes à charbon et des tunnels de lignes d'arbres, il ne peut exister qu'une porte de communication dans chaque cloison transversale principale. Ces portes doivent être placées de manière que leurs seuils soient pratiquement aussi hauts que possible.

(6.)—(a.) Ne sont admises comme portes étanches que les portes à charnières et les portes à glissières ou toutes autres d'un type équivalent, à l'exclusion des portes montées simplement sur boulons.

(b.) Les portes à charnières doivent être pourvues de loquets commandés par des leviers manœuvrables de chaque côté de la cloison.

(c.) Les portes à glissières peuvent être à déplacement vertical ou horizontal. Si elles doivent être seulement commandées à bras, le mécanisme doit pouvoir être actionné sur place et en outre d'un point accessible situé au-dessus du pont de cloisonnement.

(d.) If a door is required to be closed by dropping or by the action of a dropping weight, it shall be fitted with a suitable arrangement to regulate the closing movement, and the gearing shall be so arranged that the door can be released both at the door itself and at an accessible position above the bulkhead deck. Hand gear shall also be provided, so arranged as to operate at the door itself and above the bulkhead deck, and also, so that after being disengaged for dropping, it can be quickly re-engaged from either the upper or the lower position.

(e.) If a door is required to be power operated from a central control, the gearing shall be so arranged that the door can be operated by power also at the door itself. The arrangements shall be such that the door will close automatically if opened by the local control after being closed from the central control, and also such that any door can be kept closed by local arrangements, which will prevent that door from being opened from the central control. Such power operated doors shall be provided with hand gear, workable both at the door itself and from an accessible position above the bulkhead deck.

(f.) In all classes of doors indicators shall be fitted at all operating stations other than at the door itself, showing whether the door is opened or closed.

(7.)—(a.) Hinged watertight doors in passenger, crew, and working spaces are only permitted above a deck, the underside of which, at its lowest point at side, is at least 7 feet (2·13 metres) above the deepest subdivision loadline, and they are not permitted in those spaces below such deck.

(b.) Hinged watertight doors of satisfactory construction may be fitted in bulkheads dividing cargo between deck spaces, in levels in which side cargo doors would be permitted under the provisions of Regulation X (11). These doors shall be closed before the voyage commences and shall be kept closed during the voyage, and the time of opening such doors in port and of closing them before the ship leaves port shall be entered in the official log book. Where it is proposed to fit such doors, the number and arrangements shall receive the special consideration of the Administration, and a statement shall be required from the owners certifying as to the absolute necessity of such doors.

(8.) All other watertight doors shall be sliding doors.

(9.)—(a.) When any watertight doors which may be sometimes opened at sea, excluding those at the entrances of tunnels, are fitted in the main transverse watertight bulkheads at such a height that

(d.) Les portes, qui doivent être fermées par leur poids ou par la chute d'un poids, doivent être pourvues d'un dispositif convenable pour régulariser leur fermeture; le mécanisme doit permettre de libérer la porte sur place et en outre d'un point accessible situé au-dessus du pont de cloisonnement. Une commande à main doit être également installée pour permettre de manœuvrer la porte sur place et d'un point situé au-dessus du pont de cloisonnement; enfin, le mécanisme de la porte doit, quand il a été débrayé pour libérer cette porte, pouvoir être embrayé rapidement de l'un ou de l'autre des postes de manœuvre.

(e.) Lorsqu'il est prévu qu'une porte doit être fermée au moyen d'une source d'énergie, d'un poste central de manœuvre, le mécanisme doit être disposé de manière à permettre la commande de la porte sur place au moyen de la même source d'énergie. La porte devra se refermer automatiquement si, après avoir été fermée du poste de commande central, elle est ouverte sur place. De même, il doit exister sur place un moyen de la maintenir fermée sans qu'elle puisse être ouverte par le poste de commande central. Enfin, toute porte manœuvrée au moyen d'une source d'énergie doit être pourvue d'une commande à main, manœuvrable sur place et d'un point accessible au-dessus du pont de cloisonnement.

(f.) Les portes de toutes catégories doivent être munies d'indicateurs d'ouverture, permettant de vérifier de tous les postes de commande, autres que sur place, si la porte est ouverte ou fermée.

(7.)—(a.) Des portes étanches à charnières peuvent être admises dans les parties du navire affectées aux passagers et à l'équipage, ainsi que dans les locaux de service, à condition qu'elles soient établies au-dessus d'un pont dont la surface inférieure a son point le plus bas en abord, se trouve au moins à 2.13 mètres (7 pieds) au-dessus de la ligne de charge maximum de compartimentage; ces portes ne sont pas autorisées dans ces parties et locaux du navire au-dessous d'un tel pont.

(b.) Des portes étanches à charnières de construction satisfaisante peuvent être admises dans les cloisons d'entrepont séparant deux locaux à marchandises, à la hauteur qui est permise pour les portes de charge sur le bordé conformément aux prescriptions de la Règle X (11). Ces portes doivent être fermées avant le départ et tenues fermées pendant tout le voyage; l'heure de leur ouverture à l'arrivée au port et de leur fermeture avant le départ du port doivent être inscrites dans le journal de bord réglementaire. Lorsqu'il est proposé d'installer des portes de cette nature, leur nombre et le détail de leurs dispositions font l'objet d'un examen spécial par l'Administration. Celle-ci exige des armateurs une attestation que cette installation est une nécessité de service absolue.

(8.) Toutes les autres portes étanches doivent être à glissières.

(9.)—(a.) Lorsqu'il existe des portes étanches devant être à certains moments ouvertes à la mer, exception faite de celles des entrées des tunnels et que ces portes sont placées dans les cloisons étanches

their sills are below the deepest subdivision loadline, the following rules shall apply:—

(I.) When the number of such doors exceeds 5 all the watertight sliding doors shall be power operated and shall be capable of being simultaneously closed from a station situated on the bridge, simultaneous closing of these doors being preceded by a warning sound signal.

(II.) When the number of such doors does not exceed 5—

- (i) if the criterion numeral does not exceed 30, all the watertight sliding doors may be operated by hand only;
- (ii) if the criterion numeral exceeds 30, but does not exceed 60, all the watertight sliding doors may be either dropping doors fitted with releasing and hand gear operated at the door and from above the bulkhead deck or doors operated by power.
- (iii) if the criterion numeral exceeds 60, all the watertight sliding doors shall be operated by power.

(b.) If watertight doors which have sometimes to be open at sea for the purpose of trimming coal are fitted between bunkers in the between-decks below the bulkhead deck, these doors shall be operated by power. The opening and closing of these doors shall be recorded in the official log book.

(c.) When trunkways in connection with refrigerated cargo are carried through more than one main transverse watertight bulkhead, and the sills of the openings are less than 7 feet (2.13 metres) above the deepest subdivision loadline, the watertight doors at such openings shall be operated by power.

(10.) Portable plates on bulkheads shall not be permitted except in machinery spaces. Such plates shall always be in place before the ship leaves port, and shall not be removed at sea except in case of urgent necessity. The necessary precautions shall be taken in replacing them to ensure that the joints shall be watertight.

(11.) All watertight doors shall be kept closed during navigation except when necessarily opened for the working of the ship, and shall always be ready to be immediately closed.

(12.) Where trunkways or tunnels for access from crew's accommodation to the stokehold, for piping, or for any other purpose are carried through main transverse watertight bulkheads, they shall be watertight and in accordance with the requirements of Regulation XII. The access to at least one end of each such tunnel or trunkway, if used as a passage at sea, shall be through a trunk extending watertight to a height sufficient to permit access above the margin line. The access to the other end of the trunkway or tunnel may be through

transversales principales de façon que leur seuil soit au-dessous de la ligne de charge maximum de compartimentage, les règles suivantes sont appliquées:

(I.) Si le nombre de ces portes excède 5, toutes les portes étanches à glissières doivent être manœuvrées au moyen d'une source d'énergie et pouvoir être fermées simultanément d'un poste de manœuvre situé sur la passerelle, la fermeture simultanée de ces portes étant précédée d'un signal sonore.

(II.) Si le nombre de ces portes n'excède pas 5:

- (i) si le critérium n'excède pas 30, toutes les portes étanches à glissières peuvent être manœuvrées à la main seulement;
- (ii) si le critérium excède 30, sans dépasser 60, toutes les portes étanches à glissières peuvent être soit des portes se fermant par gravité munies d'un déclic et d'une manœuvre à bras pouvant être actionnées aussi bien sur place que d'un point au-dessus du pont de cloisonnement, soit des portes manœuvrées au moyen d'une source d'énergie;
- (iii) si le critérium numérique excède 60, toutes les portes étanches à glissières doivent être manœuvrées au moyen d'une source d'énergie.

(b.) S'il existe, entre des soutes à charbon dans les entreponts au-dessous du pont de cloisonnement des portes étanches qui doivent, à la mer, être occasionnellement ouvertes pour la manipulation du charbon, l'emploi d'une source d'énergie est exigé pour la manœuvre de ces portes. L'ouverture et la fermeture doivent être mentionnées au journal de bord.

(c.) L'emploi d'une source d'énergie est également exigé pour la manœuvre des portes établies au passage des conduits des cales frigorifiques, si ces conduits traversent plus d'une cloison transversale principale étanche, et si les seuils de ces portes sont situés à moins de 2,13 mètres (7 pieds) au-dessus de la ligne de charge maximum de compartimentage.

(10.) L'emploi de panneaux démontables en tôle n'est toléré que dans la tranche des machines. Ces panneaux doivent toujours être en place avant l'appareillage; ils ne peuvent être enlevés à la mer, si ce n'est en cas d'impérieuse nécessité. Les précautions nécessaires doivent être prises au remontage pour rétablir la parfaite étanchéité du joint.

(11.) Toutes les portes étanches doivent être fermées en cours de navigation ou n'être ouvertes que lorsque le service du navire l'exige. Dans ce cas, elles doivent toujours être prêtes à être immédiatement fermées.

(12.) Si des tambours ou tunnels reliant les logements du personnel aux chaufferies ou disposés pour renfermer des tuyautages ou pour tout autre but sont ménagés à travers les cloisons transversales étanches principales, ces tambours ou tunnels doivent être étanches et satisfaire aux prescriptions de la Règle XII. L'accès à l'une ou l'autre des extrémités de ces tunnels ou tambours, si on s'en sert comme passage à la mer, doit être réalisé par un puits étanche d'une hauteur suffisante pour que son débouché soit au-dessus de la ligne

a watertight door of the type required by its location in the ship. Such trunkways or tunnels shall not extend through the first subdivision bulkhead abaft the collision bulkhead.

Where it is proposed to fit tunnels or trunkways for forced draft, piercing main transverse watertight bulkheads, these shall receive the special consideration of the Administration.

#### REGULATION X.

##### *Openings in Ship's Sides below the Margin Line.*

Openings in ship's  
sides below margin  
line.

(1.) The arrangement and efficiency of the means for closing any opening in the ship's sides shall be consistent with its intended purpose and the position in which it is fitted and generally to the satisfaction of the Administration.

(2.)—(a.) If in a between decks, the sills of any sidescuttles are below a line drawn parallel to the bulkhead deck at side and having its lowest point  $2\frac{1}{2}$  per cent. of the breadth of the ship above the deepest subdivision loadline, all sidescuttles in that between deck shall be of a non-opening type.

(b.) If in a between decks, the sills of any sidescuttles other than those required to be of a non-opening type by sub-paragraph (a) are below a line drawn parallel to the bulkhead deck at side and having its lowest point at a height of 12 feet (3.66 metres) plus  $2\frac{1}{2}$  per cent. of the breadth of the ship above the deepest subdivision loadline, all sidescuttles in that between decks shall be of such construction as will effectively prevent any person opening them without the consent of the master of the ship.

(c.) Other sidescuttles may be of an ordinary opening type.

(d.) If in a between decks, the sills of any of the sidescuttles referred to in sub-paragraph (b) are below a line drawn parallel to the bulkhead deck at side and having its lowest point  $4\frac{1}{2}$  feet (1.37 metres), plus  $2\frac{1}{2}$  per cent. of the breadth of the ship above the loadline at which the ship is floating on her departure from any port, all the sidescuttles in that between decks shall be closed watertight and locked before the ship leaves port and they shall not be opened during navigation.

The time of opening such sidescuttles in port and of closing and locking them before the ship leaves port shall be entered in the official log book.

The Administration may indicate the limiting mean draught at which these sidescuttles will have their sills above the line defined in this paragraph and at which it will be permissible to open them at sea on the responsibility of the master. In tropical waters in fair weather this limiting draught may be increased by 1 foot (.305 metres).



de surimmersion. L'accès à l'autre extrémité peut se faire par une porte étanche du type exigé par son emplacement dans le navire. Aucun de ces tunnels ou tambours ne doit traverser la cloison de compartimentage immédiatement en arrière de la cloison d'abordage.

Lorsqu'il est prévu des tunnels ou tambours pour tirage forcé, traversant les cloisons étanches transversales principales, le cas doit être spécialement examiné par l'Administration.

#### RÈGLE X.

##### *Ouverture dans la Muraille extérieure au-dessous de la Ligne de surimmersion.*

(1.) La disposition et l'efficacité des moyens de fermeture de toutes les ouvertures pratiquées dans la muraille extérieure du navire doivent correspondre au but à réaliser et à l'emplacement où ils sont fixés; ils doivent d'une manière générale être à la satisfaction de l'Administration.

(2.)—(a.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un hublot quelconque est au-dessous d'une ligne tracée sur la muraille parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à  $2\frac{1}{2}$  pour cent de la largeur du navire au-dessus de la ligne de charge maximum de compartimentage, tous les hublots de cet entrepont doivent être des hublots fixes.

(b.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un hublot quelconque autre que ceux qui doivent être fixes, aux termes de l'alinéa (a) ci-dessus, est au-dessous d'une ligne tracée parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à 3 mètres 66 (12 pieds) plus  $2\frac{1}{2}$  pour cent de la largeur du navire, au-dessus de la ligne de charge maximum de compartimentage, tous les hublots de cet entrepont seront construits de telle sorte que personne ne puisse les ouvrir sans l'autorisation du Capitaine du navire.

(c.) Tous les autres hublots peuvent être du type ouvrant ordinaire.

(d.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un quelconque des hublots visés au alinéa (b) ci-dessus, est au-dessous d'une ligne tracée parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à 1 mètre 37 ( $4\frac{1}{2}$  pieds) plus  $2\frac{1}{2}$  pour cent de la largeur du navire au-dessus de la flottaison du navire, à son départ du port, tous les hublots de cet entrepont sont fermés d'une façon étanche et à clef avant que le navire ne sorte du port, et ne doivent pas être ouverts en cours de navigation.

Les heures d'ouverture de ces hublots dans le port et de leur fermeture à clef avant le départ seront inscrites au journal de bord réglementaire.

L'Administration peut préciser le tirant d'eau milieu maximum auquel les hublots en question ont le bord inférieur de leur ouverture au-dessus de la ligne définie dans le présent paragraphe et auquel, par suite, il sera permis de les ouvrir à la mer sous la responsabilité du Capitaine. Dans les mers tropicales, par beau temps, ce tirant d'eau peut être augmenté de 305 millimètres (1 pied).

(3.) Efficient hinged inside deadlights arranged so that they can be easily and effectively closed and secured watertight shall be fitted to all sidescuttles—

- (a) which are required to be of a non-opening type;
- (b) which are to be fitted within one-eighth of the ship's length of the forward perpendicular;
- (c) which are to be fitted in positions defined in sub-paragraph (2) (b);
- (d) which will not be accessible during navigation;
- (e) which are to be fitted in spaces intended for the accommodation of sailors and firemen;
- (f) which are to be fitted in spaces intended for the accommodation of steerage passengers.

(4.) Sidescuttles fitted below the bulkhead deck, other than those referred to in the preceding paragraph, shall be fitted with efficient inside deadlights which may be portable and stowed adjacent to the sidescuttles.

(5.) Sidescuttles and their deadlights, which will not be accessible during navigation, shall be closed and secured before the ship proceeds to sea.

(6.) No sidescuttles shall be fitted in any spaces which are appropriated exclusively to the carriage of cargo or coal.

(7.) Automatic ventilating sidescuttles shall not be fitted in the ship's sides below the margin line without the special sanction of the Administration.

(8.) All machinery and other inlets and discharges in the ship's sides shall be arranged so as to prevent the accidental admission of water into the ship.

(9.) The number of scuppers, sanitary discharges and other similar openings in the ship's sides shall be reduced to the minimum either by making each discharge serve for as many as possible of the sanitary and other pipes, or in any other satisfactory manner.

(10.) Discharges led through the ship's sides from spaces below the margin line shall be fitted with efficient and accessible means for preventing water from passing inboard. It is permissible to have for each separate discharge either one automatic non-return valve fitted with a positive means of closing it from above the bulkhead deck, or, alternatively, two automatic non-return valves without such means, the upper of which valves is so situated above the deepest subdivision loadline as to be always accessible for examination under service conditions.

Where a positive action valve is fitted, the operating position above the bulkhead deck shall always be readily accessible and means shall be provided for indicating whether the valve is open or closed.

(11.) Gangway, cargo and coaling ports fitted below the margin line shall be of sufficient strength. They shall be effectively closed

(3.) Des tapes à charnières, d'un modèle efficace et disposées de manière à pouvoir être réellement fermées et rendues étanches, doivent être installées sur tous les hublots:

- (a) qui doivent réglementairement être fixes;
- (b) qui sont situés sur un huitième de la longueur du navire à partir de la perpendiculaire avant;
- (c) qui occupent les positions définies à l'alinéa (2) (b) ci-dessus;
- (d) qui ne sont pas accessibles en cours de navigation;
- (e) qui sont situés dans des locaux destinés au logement des matelots ou des chauffeurs;
- (f) qui sont situés dans des espaces destinés au logement des passagers d'entrepont.

(4.) Les hublots placés sous le pont de cloisonnement, autres que ceux visés au paragraphe précédent, doivent être pourvus de tapes intérieures efficaces; celles-ci peuvent être amovibles et être déposées à proximité des hublots.

(5.) Les hublots et leurs tapes qui ne sont pas accessibles en cours de navigation doivent être fermés et condamnés avant l'appareillage.

(6.) Aucun hublot ne peut être établi dans les locaux affectés exclusivement au transport de marchandises ou de charbon.

(7.) Aucun hublot à ventilation automatique ne peut être établi dans la muraille du navire au-dessous de la ligne de surimmersion, sans une autorisation spéciale de l'Administration.

(8.) Toutes les prises d'eau et décharges dans la muraille doivent être disposées de façon à empêcher toute introduction accidentelle d'eau dans le navire.

(9.) Le nombre des dalots, tuyaux de décharge sanitaires et autres ouvertures similaires dans la muraille, doit être réduit au minimum, soit en utilisant chaque orifice de décharge, pour le plus grand nombre possible de tuyaux sanitaires ou autres, soit de toute autre manière satisfaisante.

(10.) Les décharges à la coque, dont l'orifice inférieur se trouve au-dessous de la ligne de surimmersion, doivent être munies de dispositifs efficaces et accessibles empêchant l'eau de s'introduire dans le navire. On peut, pour chaque décharge séparée, employer soit une soupape automatique de non-retour, pourvu d'un moyen de fermeture direct, manœuvrable d'un point situé au-dessus du pont de cloisonnement, soit, à volonté, deux soupapes automatiques de non-retour sans moyen de fermeture direct, pourvu que la plus élevée soit placée de telle sorte au-dessus de la ligne de charge maximum de compartimentage qu'elle soit toujours accessible pour être visitée dans les circonstances normales du service.

Lorsqu'on emploie des valves à commande de fermeture directe, les postes de manœuvre au-dessus du pont de cloisonnement doivent toujours être facilement accessibles et ils doivent comporter des indicateurs d'ouverture et de fermeture.

(11.) Les coupées, portes de chargement et sabords à charbon situés au-dessous de la ligne de surimmersion doivent être de résis-

and secured watertight before the ship leaves port, and shall be kept closed during navigation.

Cargo and coaling ports which are to be fitted partly or entirely below the deepest subdivision loadline shall receive the special consideration of the Administration.

(12.) The inboard opening of each ash-shoot, rubbish-shoot, &c., shall be fitted with an efficient cover.

If the inboard opening is situated below the margin line, the cover shall be watertight, and in addition an automatic non-return valve shall be fitted in the shoot in an easily accessible position above the deepest subdivision loadline. When the shoot is not in use both the cover and the valve shall be kept closed and secured.

#### REGULATION XI.

##### *Construction and Initial Tests of Watertight Doors, Sidescuttles, &c.*

Watertight doors,  
sidescuttles, etc.

Construction and  
initial tests.

(1.) The design, materials and construction of all watertight doors, sidescuttles, gangway, cargo and coaling ports, valves, pipes, ash-shoots and rubbish-shoots referred to in these Regulations shall be to the satisfaction of the Administration.

(2.) Each watertight door shall be tested by water pressure to a head up to the margin line. The test shall be made before the ship is put in service, either before or after the door is fitted.

#### REGULATION XII.

##### *Construction and Initial Tests of Watertight Decks, Trunks, &c.*

Watertight decks,  
trunks, etc.

Construction and  
initial tests.

(1.) Watertight decks, trunks, tunnels, duct keels and ventilators shall be of the same strength as watertight bulkheads at corresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to the satisfaction of the Administration. Watertight ventilators and trunks shall be carried at least up to the margin line.

(2.) After completion a hose or flooding test shall be applied to watertight decks and a hose test to watertight trunks, tunnels and ventilators.

#### REGULATION XIII.

##### *Periodical Operation and Inspection of Watertight Doors, &c.*

Watertight doors,  
etc.

Periodical operation  
and inspection.

In all new and existing ships drills for the operating of watertight doors, sidescuttles, valves, and closing mechanisms of scuppers, ash-shoots and rubbish-shoots, shall take place weekly. In ships in which the voyage exceeds one week in duration a complete drill

tance suffisante. Ils doivent être efficacement fermés et assujettis avant l'appareillage et rester fermés pendant la navigation.

Les portes de chargement et sabords à charbon qui sont situés partiellement ou entièrement au-dessous de la ligne de charge maximum de compartimentage doivent faire l'objet d'un examen spécial de l'Administration.

(12.) Les ouvertures intérieures des manches à escarbilles, manches à saletés, &c., doivent être pourvues d'un couvercle efficace.

Si ces ouvertures sont situées au-dessous de la ligne de surimmersion, le couvercle doit être étanche et on doit, en outre, installer dans la manche un clapet de non-retour, placé dans un endroit accessible, au-dessus de la ligne de charge maximum de compartimentage. Quand on ne se servira pas de la manche, le couvercle et le clapet doivent être fermés et assujettis en place.

#### RÈGLE XI.

##### *Construction et Épreuves initiales des Portes étanches, Hublots, &c.*

(1.) Le tracé, les matériaux utilisés et la construction des portes étanches, hublots, coupées, sabords à charbon, portes de chargement, soupapes, tuyaux, manches à escarbilles et à saletés visés dans le présent Règlement doivent être à la satisfaction de l'Administration.

(2.) Toute porte étanche doit être soumise à un essai à l'eau sous une pression correspondant à la hauteur d'eau jusqu'à la ligne de surimmersion. Cet essai doit être fait avant l'entrée en service du navire, soit avant, soit après mise en place de la porte à bord.

#### RÈGLE XII.

##### *Construction et Épreuves initiales des Ponts étanches, Tambours, &c.*

(1.) Lorsqu'ils sont étanches, les ponts, tambours, tunnels, quilles tubulaires, et conduits d'air doivent présenter une résistance égale à celle des parties correspondantes des cloisons étanches. Les procédés employés pour assurer l'étanchéité de ces éléments, ainsi que les dispositifs adoptés pour la fermeture des ouvertures, doivent être à la satisfaction de l'Administration. Les conduits d'air et les tambours étanches doivent s'élever au moins jusqu'au niveau de la ligne de surimmersion.

(2.) Lorsqu'ils sont étanches, les ponts, tambours, tunnels et conduits d'air doivent être soumis à une épreuve d'étanchéité à la lance après leur construction; l'essai des ponts peut être effectué en les couvrant d'eau.

#### RÈGLE XIII.

##### *Manœuvres et Inspections périodiques des Portes étanches, &c.*

Sur tout navire neuf ou existant, il doit être procédé hebdomadairement, à des exercices de manœuvre des organes de fermeture étanche des portes, hublots, dalots, soupapes, manches à escarbilles et à saletés. Sur les navires effectuant des voyages dont la durée excède

shall be held before leaving port, and others thereafter at least once a week during the voyage, provided that all watertight power doors and hinged doors, in main transverse bulkheads, in use at sea shall be operated daily.

The watertight doors and all mechanisms and indicators connected therewith, and all valves the closing of which is necessary to make a compartment watertight, shall be periodically inspected at sea, at least once a week.

#### REGULATION XIV.

Official log book.

##### *Entries in the Official Log Book.*

Entries to be made.

In all new and existing ships hinged doors, portable plates, side-scuttles, gangway, cargo and coaling ports and other openings, which are required by these Regulations to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing, and the time of opening (if permissible under these Regulations), shall be recorded in the official log book.

Drills and inspections.

A record of all drills and inspections required by Regulation XIII shall be entered in the official log book with an explicit record of any defects which may be disclosed.

#### REGULATION XV.

##### *Double Bottoms.*

Double bottoms.

(1.) In ships 200 feet (61 metres) and under 249 feet (76 metres) in length a double bottom shall be fitted at least from the machinery space to the fore peak bulkhead, or as near thereto as practicable.

(2.) In ships 249 feet (76 metres) and under 330 feet (100 metres) in length a double bottom shall be fitted at least outside the machinery space, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(3.) In ships 330 feet (100 metres) in length and upwards a double bottom shall be fitted amidships, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(4.) Where a double bottom is required to be fitted the inner bottom shall be continued out to the ship's sides in such a manner as to protect the bottom to the turn of bilge.

Such protection will be deemed satisfactory if the line of intersection of the outer edge of the margin plate with the bilge plating is not lower

une semaine, un exercice complet doit avoir lieu avant l'appareillage, et d'autres ensuite pendant la navigation, à raison d'un au moins par semaine; toutefois, les portes dont la manœuvre comporte l'emploi d'une source d'énergie et les portes à charnières des cloisons transversales principales doivent être manœuvrées quotidiennement, lorsqu'elles sont utilisées à la mer.

Les portes étanches, y compris les mécanismes et les indicateurs qui s'y rapportent, ainsi que les soupapes dont la fermeture est nécessaire pour assurer l'étanchéité d'un compartiment, doivent être périodiquement inspectées à la mer, à raison d'une fois au moins par semaine.

#### RÈGLE XIV.

##### *Mentions au Journal de bord réglementaire.*

Sur tout navire neuf ou existant, les portes à charnières, panneaux démontables, hublots, coupées, portes de chargement, sabords à charbon et autres ouvertures, qui doivent rester fermées pendant la navigation, en application des prescriptions précédentes, doivent être fermés avant l'appareillage. Mention doit être faite au journal de bord réglementaire des heures de fermeture de tous ces organes et des heures auxquelles auront été ouverts ceux dont le présent Règlement permet l'ouverture.

Mention de tous les exercices et toutes les inspections prescrits par la Règle XIII ci-dessus doit être faite au journal de bord réglementaire; toute défectuosité constatée y est explicitement notée.

#### RÈGLE XV.

##### *Doubles-fonds.*

(1.) Les navires dont la longueur est au moins égale à 61 mètres (200 pieds) et inférieure à 76 mètres (249 pieds) doivent être pourvus d'un double-fond s'étendant au moins depuis l'avant de la tranche des machines jusqu'à la cloison du coqueron avant ou aussi près que possible pratiquement de cette cloison.

(2.) Les navires dont la longueur est au moins égale à 76 mètres (249 pieds) et inférieure à 100 mètres (330 pieds) doivent être pourvus de doubles-fonds au moins en dehors de la tranche des machines. Ces doubles-fonds doivent s'étendre jusqu'aux cloisons des coquerons avant et arrière ou aussi près que possible pratiquement de ces cloisons.

(3.) Les navires dont la longueur est égale ou supérieure à 100 mètres (330 pieds) doivent être pourvus au milieu d'un double-fond s'étendant jusqu'aux cloisons des coquerons avant et arrière ou aussi près que possible pratiquement de ces cloisons.

(4.) Là où un double-fond est exigé, il doit se prolonger en abord vers la muraille de manière à protéger efficacement les bouchains.

Cette protection sera considérée comme satisfaisante si aucun point de la ligne d'intersection de l'arête extérieure de la tôle de côté avec

at any part than a horizontal plane passing through the point of intersection with the frame line amidships of a transverse diagonal line inclined at 25 degrees to the base line and cutting it at a point one-half the ship's moulded breadth from the middle line.

(5.) Wells constructed in the double bottom in connection with the drainage arrangements shall not extend downwards more than necessary, nor shall they be less than 18 inches (457 millimetres) from the outer bottom or from the inner edge of the margin plate. A well extending to the outer bottom is, however, permitted at the after end of the shaft tunnel of screw ships.

#### REGULATION XVI.

##### *Fire-resisting Bulkheads.*

Fire-resisting bulkheads.

Ships shall be fitted above the bulkhead deck with fire-resisting bulkheads which shall be continuous from side to side of the ship and arranged to the satisfaction of the Administration.

They shall be constructed of metal or other fire-resisting material, effective to prevent for one hour, under the conditions for which the bulkheads are to be fitted in the ship, the spread of fire generating a temperature of 1,500° F. (815° C.) at the bulkhead.

Steps and recesses and the means for closing all openings in these bulkheads shall be fire-resisting and flametight.

The mean distance between any two adjacent fire-resisting bulkheads in any superstructure shall in general not exceed 131 feet (40 metres).

#### REGULATION XVII.

##### *Side and other Openings, &c., above the Margin Line.*

Side and other openings, etc.

Design, construction, etc.

(1.) Sidescuttles, gangway, cargo and coaling ports, and other means for closing openings in the ship's sides above the margin line shall be of efficient design and construction and of sufficient strength having regard to the spaces in which they are fitted and their positions relative to the deepest subdivision loadline.

(2.) The bulkhead deck or a deck above it shall be weathertight in the sense that in ordinary sea conditions water will not penetrate in a downward direction. All openings in the exposed weather deck shall have coamings of ample height and strength, and shall be provided with efficient means for expeditiously closing them weathertight.

(3.) Freeing ports and/or scuppers shall be fitted as necessary for rapidly clearing the weather deck of water under all weather conditions.



le borde extérieur ne vient au-dessous d'un plan horizontal passant par le point du tracé hors membres où le couple milieu est coupé par une diagonale inclinée à  $25^{\circ}$  sur l'horizontale et menée par le sommet inférieur externe du rectangle circonscrit à la maîtresse section.

(5.) Les puisards établis dans les doubles-fonds pour recevoir les aspirations des pompes ne doivent pas être plus profonds qu'il n'est nécessaire et, en tous les cas, ils ne doivent pas être à moins de 457 millimètres (18 pouces) du bordé extérieur ou du bord intérieur de la tôle de côté. Des puisards allant jusqu'au bordé peuvent cependant être admis à l'extrémité arrière des tunnels d'arbres des navires à hélice.

#### RÈGLE XVI.

##### *Cloisons contre l'Incendie.*

Les navires doivent avoir, au-dessus du pont de cloisonnement, des cloisons contre l'incendie, s'étendant sans discontinuité d'un bord à l'autre et disposées à la satisfaction de l'Administration.

Elles doivent être construites en métal ou toute autre substance résistant au feu, et efficaces pour empêcher pendant une heure, dans les conditions pour lesquelles l'installation de ces cloisons est prévue, la propagation d'un incendie développant au voisinage de la cloison une température de  $815^{\circ}$  C. ( $1500^{\circ}$  F.).

Les niches, baïonnettes et tous les dispositifs fermant les ouvertures pratiquées dans ces cloisons seront à l'épreuve du feu et étanches aux flammes.

La distance moyenne de deux cloisons contre l'incendie adjacentes, dans une superstructure quelconque, doit être en général au plus égale à 40 mètres (131 pieds).

#### RÈGLE XVII.

##### *Hublots et autres Ouvertures, &c., au-dessus de la Ligne de surimmersion.*

(1.) Les hublots, les portes des coupées, les portes de chargement, les sabords à charbon, et autres dispositifs fermant les ouvertures pratiquées dans la muraille du navire au-dessus de la ligne de surimmersion doivent être convenablement dessinés et construits et présenter une résistance suffisante, eu égard au compartiment dans lequel elles sont placées et à leur position par rapport à la ligne de charge maximum de compartimentage.

(2.) Le pont de cloisonnement ou un autre pont situé au-dessus doit être étanche en ce sens que, dans des circonstances de mer ordinaires, il ne laisse pas l'eau pénétrer de haut en bas. Toutes les ouvertures pratiquées dans le pont exposé à la mer doivent être pourvues d'hiloires de hauteur et de résistance suffisantes et munies de moyens de fermeture efficaces permettant de les fermer rapidement et de les rendre étanches à la mer.

(3.) Des sabords de décharge à la mer et (ou) des dalots doivent être installés pour évacuer rapidement l'eau des ponts exposés à la mer en toutes circonstances de mer.

## REGULATION XVIII.

*Exits from Watertight Compartments.*

Watertight compartment exits.

(1.) In passenger and crew spaces, practicable means of exit to the open deck shall be provided for the occupants from each watertight compartment.

(2.) Practicable means of escape for the crew shall be provided from each engine room, shaft tunnel, stokehold compartment, and other working spaces, independent of watertight doors.

## REGULATION XIX.

Pumping arrangements.

*Pumping Arrangements.*

Steamships.

*Steamships.*

(1.) Ships shall be provided with an efficient pumping plant capable of pumping from and draining any watertight compartment under all practicable conditions after a casualty whether the ship is upright or listed. For this purpose wing suction will generally be necessary except in narrow compartments at the ends of the ship. Where close ceiling is fitted over the bilges, arrangements shall be made whereby water in the compartment may find its way to the suction pipes. Efficient means shall be provided for draining water from insulated holds.

(2.) In addition to the ordinary bilge pump, worked by the main engines, or its equivalent engine room pump, two independent power bilge pumps shall be provided, except that in ships less than 300 feet (91.5 metres) in length, having a criterion numeral less than 30, either two efficient hand pumps of the crank type fitted one forward and one aft, or a portable power pump, may be substituted for one of the additional independent power bilge pumps.

Sanitary, ballast and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge pumping system.

(3.) Where two or more independent power pumps are required, the arrangement shall be such that at least one power pump will be available for use in all ordinary circumstances in which a vessel may be flooded at sea. One of the power pumps shall, therefore, be an emergency pump of a reliable submersible type. A source of power situated above the bulkhead deck shall be available for this pump in any case of emergency.

(4.) Where practicable, the power bilge pumps shall be placed in separate watertight compartments so arranged or situated that these compartments will not readily be flooded by the same damage. If the engines and boilers are in two or more watertight compartments,

## RÈGLE XVIII.

*Évacuation des Compartiments étanches.*

(1.) Dans les parties du navire affectées aux passagers et à l'équipage, tout compartiment étanche doit être pourvu d'une échappée praticable offrant aux personnes qui l'occupent un moyen de gagner le pont découvert.

(2.) Toute chambre de machine, tout tunnel d'arbre, toute chaufferie et tout autre local de service doit être pourvu d'une échappée praticable offrant au personnel un moyen de retraite qui n'exige pas la traversée de portes étanches.

## RÈGLE XIX.

*Moyens de Pompage.**Navires à vapeur.*

(1.) Tout navire doit être pourvu d'une installation de pompage efficace permettant d'épuiser et d'assécher, dans la mesure pratiquement possible, à la suite d'une avarie, un compartiment étanche quelconque, que le navire soit droit ou incliné. A cet effet des aspirations latérales sont en général nécessaires, sauf dans les parties resserrées aux extrémités du navire. Lorsque le vaigrage aux bouchains est jointif, on doit ménager un accès de l'eau aux tuyaux d'aspiration. Des moyens efficaces doivent être prévus pour l'épuisement de l'eau des cales frigorifiques.

(2.) En plus de la pompe de cale ordinaire conduite par la machine principale ou de la pompe indépendante qui la remplace, il y aura deux pompes de cale indépendantes actionnées par une source d'énergie. Toutefois, dans les navires de moins de 91m. 50 (300 pieds) de longueur ayant un critérium numérique inférieur à 30, une des pompes indépendantes peut être remplacée soit par deux pompes à bras efficaces, placées une à l'avant, l'autre à l'arrière, soit par une pompe transportable actionnée par une source d'énergie.

Les pompes sanitaires, les pompes de ballast ou de service peuvent être considérées comme des pompes de cale indépendantes si elles sont disposées pour être reliées au réseau de tuyautage de cale.

(3.) Lorsqu'il est exigé deux pompes indépendantes au moins actionnées par une source d'énergie, leur disposition doit être telle qu'une au moins puisse servir, dans les circonstances ordinaires où le navire peut être envahi à la mer. Une de ces pompes indépendantes doit en conséquence être une pompe de secours d'un type submersible éprouvé. Une source d'énergie située au-dessus du pont de cloisonnement doit être disponible pour actionner cette pompe en toute éventualité.

(4.) Si possible, les pompes de cale actionnées par une source d'énergie doivent être placées dans des compartiments étanches séparés et situés de telle sorte que la même avarie ne puisse vraisemblablement pas en amener l'envahissement rapide. Si les machines

the pumps available for bilge service shall be distributed through these compartments as far as is possible.

(5.) With the exception of pumps which may be provided for peak compartments only, each bilge pump, whether operated by hand or by power, shall be arranged to draw water from any hold or machinery compartment in the ship.

(6.) Each independent power bilge pump shall be capable of giving a speed of water through the main bilge pipe of not less than 400 feet (122 metres) per minute, and it shall have a separate direct suction, to the compartment in which it is situated, of a diameter not less than that of the bilge main. The direct suctions from each independent power bilge pump shall be arranged to pump from either side of the ship.

(7.) Main circulating pumps shall have direct suction connections, provided with non-return valves, to the lowest drainage level in the machinery space, and of a diameter at least two-thirds that of the main sea inlet. Where the fuel is, or may be, coal, and there is no watertight bulkhead between the engines and boilers, a direct discharge overboard shall be fitted from at least one circulating pump, or, alternatively, a bye-pass may be fitted to the circulating discharge.

(8.)—(a.) All pipes from the pumps which are required for draining cargo or machinery spaces shall be entirely distinct from pipes which may be used for filling or emptying spaces where water or oil is carried.

(b.) Lead pipes shall not be used under coal bunkers or oil fuel storage tanks, nor in boiler or machinery spaces, including motor rooms in which oil settling tanks or oil fuel pump units are situated.

(9.) The Administration shall make rules relating to the diameters of the bilge main and branch pipes which shall be proportioned respectively in relation to the size of the ship and the sizes of the compartments to be drained.

(10.) The arrangement of the bilge and ballast pumping system shall be such as to prevent the possibility of water passing from the sea and from water ballast spaces into the cargo and machinery spaces, or from one compartment to another. Special provision shall be made to prevent any deep tank having bilge and ballast connections being inadvertently run up from the sea when containing cargo, or pumped out through a bilge pipe when containing water ballast.

(11.) Provision shall be made to prevent the compartment served by any bilge suction pipe being flooded, in the event of the pipe being severed or otherwise damaged, by collision or grounding, in any

et les chaudières sont dans deux ou plus de deux compartiments étanches les pompes utilisables comme pompes de cale doivent être réparties autant que possible dans ces divers compartiments.

(5.) Chaque pompe de cale, à bras ou mécanique, à l'exception de celles qui sont prévues pour les coquerons seulement, doit être disposée pour aspirer dans une cale quelconque ou un compartiment quelconque de la tranche des machines.

(6.) Chaque pompe de cale indépendante mécanique doit être capable d'imprimer à l'eau dans le collecteur principal d'aspiration une vitesse d'au moins 122 mètres (400 pieds) par minute, elle doit avoir une aspiration directe séparée dans le compartiment où elle est située et d'un diamètre au moins égal à celui de ce collecteur. Les aspirations directes de chaque pompe indépendante mécanique doivent être disposées pour aspirer de chaque bord du navire.

(7.) Les pompes de circulation principales doivent avoir une aspiration directe munie de clapet de non-retour, au point le plus bas de la chambre des machines et d'un diamètre au moins égal aux deux tiers de la prise principale d'eau de circulation. Si le combustible est, ou peut être du charbon, et s'il n'y a pas de cloison étanche entre les machines et les chaudières, une pompe de circulation au moins doit pouvoir refouler directement à la mer ou bien un tuyautage direct doit être installé allant à la décharge principale muni de vanne d'isolement.

(8.)—(a.) Le tuyautage desservant les pompes exigées pour l'épuisement des compartiments des machines ou des cales à marchandises doit être entièrement distinct du tuyautage employé pour le remplissage ou l'épuisement des compartiments à eau ou à combustible liquide.

(b.) L'emploi de tuyaux en plomb est interdit dans les soutes à charbon ou dans les soutes à combustible liquide, ou dans les chambres de machines ou de chaudières, y compris les chambres des moteurs renfermant des pompes à combustible liquide ou des caisses de décantation.

(9.) L'Administration doit établir des règles pour le calcul du diamètre des collecteurs et branchements du tuyautage des cales en tenant compte des dimensions du navire et de celles des compartiments à épuiser.

(10.) La disposition du tuyautage des cales et du tuyautage des ballasts doit être telle que l'eau ne puisse passer de la mer ou des ballasts dans les compartiments des machines ou les cales à marchandises, ni d'un compartiment dans l'autre. On doit prendre en particulier des mesures pour éviter qu'une cale à eau ayant des aspirations sur le tuyautage de cale et sur celui des ballasts ne puisse, par inadvertence, être remplie d'eau de mer quand elle est utilisée comme cale à marchandises ou vidée par le tuyau de cale quand elle contient du lest liquide.

(11.) Des mesures doivent être prises pour que, si un compartiment desservi par un tuyau d'aspiration de cale vient à être rempli, il ne se déverse dans un autre compartiment, dans le cas où le tuyau

other compartment. For this purpose, where the pipe is at any part situated near the side of the ship or in a duct keel, there shall be fitted to the pipe in the compartment containing the open end either a non-return valve, or a screw-down valve which can be operated from a position above the bulkhead deck.

(12.) All distribution boxes, cocks and valves in connection with the bilge pumping arrangement shall be in positions which are accessible at all times under ordinary circumstances. They shall be so arranged that in the event of flooding the emergency bilge pump may be operative on any compartment. If there is only one system of pipes common to all the pumps, the necessary cocks or valves for controlling the bilge suction must be workable from above the bulkhead deck. If in addition to the main bilge pumping system an emergency bilge pumping system is provided, it shall be independent of the main system and so arranged that the emergency pump is capable of operating on any compartment under flooding conditions.

*Motor Ships.*

Motor ships.

(13.) The bilge pumping arrangements in motor ships shall, so far as practicable, be equivalent to those required for steamships of similar size, except as regards main circulating pumps.

REGULATION XX.

*Power for Going Astern.*

Power for going astern.

Ships shall have sufficient power for going astern to secure proper control of the ship in all circumstances.

REGULATION XXI.

*Auxiliary Steering Apparatus.*

Auxiliary steering apparatus.

Ships shall be provided with an auxiliary steering apparatus which, however, may be of less power than the main apparatus, and need not be worked by steam or other mechanical power, provided adequate arrangements for manual operation are practicable. A duplicate main steering power plant shall be considered as an auxiliary steering apparatus within the meaning of this Regulation.

REGULATION XXII.

*Initial and Subsequent Surveys of Ships.*

Initial and subsequent surveys of ships.

(1.) Every new or existing ship shall be subjected to the surveys specified below:—

- (a.) A survey before the ship is put in service.
- (b.) A periodical survey once every twelve months.
- (c.) Additional surveys, as occasion arises.

d'aspiration en question serait lui-même brisé ou avarié par collision ou échouage. Pour cela, si en un point de son tracé, le tuyau est situé près du bordé extérieur ou dans une quille tubulaire, on doit placer sur le tuyau dans le compartiment qui contient l'extrémité libre du tuyau soit un clapet de non-retour, soit une vanne à tige filetée qui puisse être manœuvrée d'un point au-dessus du pont de cloisonnement.

(12.) Toutes les boîtes de distribution, vannes, robinets, faisant partie du système d'épuisement des cales doivent être placés dans des endroits où ils soient toujours accessibles dans les circonstances normales. Ils doivent être disposés de telle sorte qu'en cas de remplissage d'un compartiment, on puisse mettre en marche la pompe de secours sur un compartiment quelconque. S'il n'y a qu'un réseau de tuyaux commun à toutes les pompes, les vannes et robinets qu'il est nécessaire de manœuvrer pour régler les aspirations de cale doivent pouvoir être commandées d'un point au-dessus du pont de cloisonnement. Si, en plus du réseau normal de tuyautage de cale il y a un réseau de secours, il doit être indépendant du réseau principal et disposé de telle sorte que la pompe de secours puisse aspirer dans un compartiment quelconque en cas d'envahissement d'un compartiment.

*Navires à moteurs.*

(13.) Le système de pompage à la cale des navires à moteurs doit, autant que cela est pratiquement possible, et à l'exception de ce qui est relatif aux pompes de circulation, être équivalent à celui que serait exigé pour un navire à vapeur de même dimension.

## RÈGLE XX.

### *Marche arrière.*

La puissance de marche arrière doit être suffisante pour assurer au navire des aptitudes de manœuvre convenables en toutes circonstances.

## RÈGLE XXI.

### *Appareil à gouverner auxiliaire.*

Les navires doivent être munis d'un appareil à gouverner auxiliaire, qui peut être d'une puissance inférieure à celle de l'appareil principal; il n'est pas exigé que cet appareil auxiliaire soit actionné par la vapeur ou toute autre source d'énergie, pourvu que des dispositifs appropriés pour une commande à la main soient réalisables. Un moteur identique au moteur de la machine à gouverner principale sera considéré comme un appareil à gouverner auxiliaire dans le sens de la présente Règle.

## RÈGLE XXII.

### *Inspections initiales et subséquentes de Navires.*

(1.) Tout navire neuf ou existant doit être soumis aux inspections spécifiées ci-après:

- (a) une inspection préalable à la mise en service;
- (b) une inspection périodique tous les douze mois;
- (c) des inspections supplémentaires occasionnelles.

(2.) The surveys referred to above shall be carried out as follows:—

(a.) *The survey before the ship is put in service* shall include a complete inspection of the hull, machinery and equipments, including the outside of the ship's bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, material, and scantlings of the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, fully comply with the requirements of the present Convention and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipments is in all respects satisfactory.

(b.) *The periodical survey* shall include an inspection of the whole of the hull, boilers, machinery, and equipments, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of the present Convention, and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs.

(c.) *A survey, either general or partial*, according to the circumstances, shall be made every time an accident occurs or a defect is discovered which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipments, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present Convention and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs.

(3.) The detailed regulations referred to in sub-paragraph (2) shall prescribe the requirements to be observed as to the initial and subsequent hydraulic tests to which the main and auxiliary boilers, connections, steam-pipes, high-pressure receivers, and fuel tanks for oil motors are to be submitted, including the test pressure to be applied, and the intervals between two consecutive tests.

Main and auxiliary boilers, connections, tanks and receivers, also steam-piping of more than 3 inches (76 millimetres) internal diameter shall be satisfactorily tested by hydraulic pressure when new. Steam pipes of more than 3 inches (76 millimetres) internal diameter shall be tested by hydraulic pressure periodically.



(2.) Les inspections visées dans l'Article précédent doivent s'effectuer dans les conditions suivantes:

(a.) *L'inspection préalable à la mise en service* comporte un examen complet de la coque, des appareils mécaniques et de l'armement, notamment une visite à sec de la carène ainsi qu'une visite extérieure et intérieure des chaudières. Cette inspection doit permettre de se rendre compte que le navire répond complètement, au point de vue des dispositions générales, des matériaux et échantillons de la coque, des chaudières et de leurs accessoires, des machines principales et auxiliaires, des engins de sauvetage et de l'armement, aux prescriptions de la présente Convention ainsi qu'à celles des règlements de détail édictés pour l'application par le Gouvernement de l'État dont il dépend, pour les navires affectés au service auquel le navire est destiné. L'inspection doit également permettre de se rendre compte que le navire et son armement sont d'une exécution satisfaisante à tous égards.

(b.) *L'inspection périodique* comporte un examen d'ensemble de la coque, des chaudières, de la machinerie et de l'armement, notamment une visite à sec de la carène. Cette inspection doit permettre de se rendre compte que le navire est, au point de vue de la coque, des chaudières et accessoires, des machines principales et auxiliaires ainsi que des engins de sauvetage et de l'armement, dans un état satisfaisant et approprié au service auquel il est destiné, et qu'il répond, en outre, aux prescriptions de la présente Convention et à celles des règlements de détail édictés pour l'application par le Gouvernement de l'État dont relève le navire.

(c.) *Une inspection générale ou partielle*, suivant le cas, doit être faite chaque fois qu'il se produit un accident ou qu'il se révèle un défaut affectant soit la sécurité du navire, soit l'intégrité ou l'efficacité des engins de sauvetage ou des autres appareils. Il en est de même chaque fois que le navire a subi une réparation ou que des parties importantes en ont été renouvelées. L'inspection doit permettre de se rendre compte que les réparations nécessaires ou les renouvellements ont été effectués dans de bonnes conditions, que les matériaux utilisés, ainsi que les procédés d'exécution employés, donnent toute satisfaction, et que le navire répond à tous égards aux prescriptions de la présente Convention et à celles des règlements de détail édictées pour l'application par le Gouvernement dont relève le navire.

(3.) Les règlements de détail, visés au paragraphe (2) ci-dessus, fixent les règles à observer pour les essais hydrostatiques avant et après la mise en service applicables aux chaudières principales et auxiliaires, à leurs accessoires, aux tuyautages de vapeur, réservoirs à haute pression, réservoirs à combustible liquide pour moteurs à combustion interne. Ils doivent indiquer les pressions d'épreuve et l'intervalle entre deux essais consécutifs.

Les chaudières principales et auxiliaires, leurs accessoires, les réservoirs divers et les tuyautages de vapeur de plus de 76 millimètres (3 pouces) de diamètre intérieur doivent subir avec succès une épreuve hydraulique avant leur mise en service. Les tuyaux de vapeur de plus de 76 millimètres (3 pouces) de diamètre intérieur, subiront des épreuves hydrauliques périodiques.

## REGULATION XXIII.

*Maintenance of Conditions after Survey.*

Maintenance of conditions after survey.

After the survey of the ship as provided in Regulation XXII has been completed no change shall be made in the structural arrangements, machinery, equipments, &c., covered by the survey, without the sanction of the Administration.

Life saving appliances, etc.

## LIFE SAVING APPLIANCES, &amp;c.

## REGULATION XXIV.

*Standard Types of Boats.*

Standard types of boats.

The standard types of boats are classified as follows:—

Class I.—Open boats with rigid sides having either (a) internal buoyancy only, or (b) internal and external buoyancy.

Class II.—(a) Open boats with internal and external buoyancy—upper parts of sides collapsible, and (b) decked boats with either fixed or collapsible watertight bulwarks.

No boat may be approved the buoyancy of which depends upon the previous adjustment of one of the principal parts of the hull, or which has not a cubic capacity of at least 3·5 cubic metres (equivalent to 125 cubic feet).

No boat may be approved the weight of which when fully laden with persons and equipment exceeds 20,300 kilogrammes (equivalent to 20 tons).

## REGULATION XXV.

*Lifeboats of Class I.*

Lifeboats of Class I.

Lifeboats of Class I must have a mean sheer at least equal to four per cent. of their length.

The air cases of lifeboats of Class I shall be so placed as to secure stability when fully laden under adverse weather conditions.

In boats certified to carry 100 or more persons the volume of the buoyancy shall be increased to the satisfaction of the Administration.

Conditions.

Lifeboats of Class I must also satisfy the following conditions:—

(a.) *Lifeboats with Internal Buoyancy only.*

Internal buoyancy only.

The buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which shall be at least equal to one-tenth of the cubic capacity of the boat.

## RÈGLE XXIII.

*Prescriptions concernant les Modifications faites au Navire dans l'intervalle des Visites.*

Après achèvement de l'inspection du navire prévue à la Règle XXII, aucune modification ne devra être apportée sans l'autorisation de l'Administration aux dispositions de la coque, de l'appareil moteur, de l'armement, &c., soumis à la surveillance.

## ENGINS DE SAUVETAGE, &amp;c.

## RÈGLE XXIV.

*Types réglementaires d'Embarcations.*

Les types réglementaires d'embarcations sont classés comme suit:

Classe I—Embarcations ouvertes, à bordé rigide avec (a) flotteurs intérieurs seulement, (b) flotteurs intérieurs et extérieurs.

Classe II.—(a) Embarcations ouvertes, avec flotteurs intérieurs et extérieurs avec la partie, supérieure du bordé repliable; (b) embarcations pontées, avec fargues étanches fixes ou repliables.

Une embarcation ne peut être admise si sa flottabilité dépend de l'ajustement préalable d'une des principales parties de la coque, ou si sa capacité cubique est inférieure à 3 mc. 500 (125 pieds cubes).

Une embarcation ne peut être admise si son poids, en pleine charge avec les personnes qu'elle peut recevoir et son armement dépasse 20300 kilogr. (20 tonnes anglaises).

## RÈGLE XXV.

*Embarcations de Sauvetage de la Classe I.*

Les embarcations de sauvetage de la Classe I doivent avoir une tonture moyenne au moins égale à quatre pour cent de leur longueur.

Les caissons à air des embarcations de sauvetage de la Classe I doivent être disposés de manière à assurer la stabilité de l'embarcation complètement chargée dans des circonstances de temps défavorables.

Dans les embarcations admises à porter 100 personnes ou plus, le volume des flotteurs doit être augmenté à la satisfaction de l'Administration.

Les embarcations de sauvetage de la Classe I doivent aussi satisfaire aux conditions suivantes:

(a.) *Embarcations de Sauvetage avec Flotteurs intérieurs seulement.*

La flottabilité d'une embarcation en bois de ce type doit être assurée par des caissons à air étanches ayant un volume total au moins égal au dixième de la capacité cubique de l'embarcation.

The buoyancy of a metal boat of this type shall not be less than that required above for a wooden boat of the same cubic capacity, the volume of watertight air-cases being increased accordingly.

(b.) *Lifeboats with Internal and External Buoyancy.*

Internal and external buoyancy.

The internal buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which is at least equal to seven and a half per cent. of the cubic capacity of the boat.

The external buoyancy may be of cork or of any other equally efficient material, but such buoyancy shall not be obtained by the use of rushes, cork shavings, loose granulated cork or any other loose granulated substance, or by any means dependent upon inflation by air.

If the buoyancy is of cork, its volume, for a wooden boat, shall not be less than thirty-three thousandths of the cubic capacity of the boat; if of any material other than cork, its volume and distribution shall be such that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

The buoyancy of a metal boat shall be not less than that required above for a wooden boat of the same cubic capacity, the volume of the watertight air-cases and that of the external buoyancy being increased accordingly.

REGULATION XXVI.

*Boats of Class II.*

Boats of Class II.

Conditions.

Boats of Class II must satisfy the following conditions:—

(a.) *Open Boats with Internal and External Buoyancy—Upper Part of Sides collapsible.*

Open boats, etc.

A boat of this type shall be fitted both with watertight air-cases and with external buoyancy the aggregate volume of which, for each person which the boat is able to accommodate, shall be at least equal to the following amounts:—

	Cubic Decimetres.	Cubic. Feet.
Air-cases . . . . .	43	1.5
External buoyancy (if of cork) . . . . .	6	0.2

The external buoyancy may be of cork or of any other equally efficient material, but such buoyancy shall not be obtained by the use of rushes, cork shavings, loose granulated cork, or any other loose granulated substance, or by any means dependent upon inflation by air.

La flottabilité d'une embarcation métallique de ce type ne doit pas être inférieure à celle qui est exigée ci-dessus pour l'embarcation en bois de même capacité cubique; le volume des caissons à air étanches doit être augmenté en conséquence.

(b) *Embarcations de Sauvetage avec Flotteurs intérieurs et extérieurs.*

La flottabilité intérieure d'une embarcation en bois de ce type doit être assurée par des caissons à air étanches ayant un volume total au moins égal à sept et demi pour cent de la capacité cubique de l'embarcation.

Les flotteurs extérieurs peuvent être constitués par du liège ou par toute autre matière au moins équivalente. Ne sont pas admis les flotteurs dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre, non plus que les flotteurs nécessitant une insufflation d'air.

Lorsque les flotteurs sont en liège, leur volume, pour une embarcation en bois, ne doit pas être inférieur aux trente-trois millièmes de la capacité cubique de l'embarcation; s'ils sont en une autre matière que le liège, leur volume et leur installation doivent être tels que la flottabilité et la stabilité de l'embarcation ne soient pas inférieures à celles d'une embarcation similaire pourvue de flotteurs en liège.

La flottabilité d'une embarcation métallique ne doit pas être inférieure à celle qui est exigée ci-dessus pour une embarcation en bois de même capacité cubique; le volume des caissons et celui des flotteurs extérieurs doivent être augmentés en conséquence.

## RÈGLE XXVI.

### *Embarcations de la Classe II.*

Les embarcations de la Classe II doivent satisfaire aux conditions suivantes:

(a.) *Embarcations ouvertes ayant la partie supérieure du bordé repliable, avec des flotteurs intérieurs et extérieurs.*

Une embarcation de ce type doit comporter à la fois des caissons à air étanches et des flotteurs extérieurs. Leur volume total, pour chacune des personnes que l'embarcation est apte à recevoir, doit avoir au moins les valeurs suivantes:

	Décimètres cubes.	Pieds cubes anglals.
Caissons étanches . . . . .	43	1, 5
Flotteurs extérieurs (s'ils sont en liège) . . .	6	0, 2

Les flotteurs extérieurs peuvent être constitués par du liège ou par toute autre matière au moins équivalente. Ne sont pas admis les flotteurs dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre, non plus que les flotteurs nécessitant une insufflation d'air.

If of any material other than cork, its volume and distribution shall be such that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

A metal boat of this type shall be provided with internal and external buoyancy to ensure that the buoyancy of the boat shall be at least equal to that of a wooden boat.

The minimum freeboard of boats of this type shall be fixed in relation to their length; and it shall be measured vertically to the top of the solid hull at the side amidships, from the water-level, when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts:—

Length of Lifeboat.		Minimum Freeboard.	
Metres.	Equivalent in Feet to—	Millimetres.	Equivalent in Inches to—
7.90	26	200	8
8.50	28	225	9
9.15	30	250	10

The freeboard of boats of intermediate lengths is to be found by interpolation.

The collapsible sides must be watertight.

Decked boats, etc.

(b.) *Decked Boats with either Fixed or Collapsible Watertight Bulwarks.*

(i.) *Decked Boats having a Well Deck.*—The area of the well deck of a boat of this type shall be at least 30 per cent. of the total deck area. The height of the well deck above the water-line at all points shall be at least equal to one-half per cent. of the length of the boat, this height being increased to one-and-a-half per cent. of the length of the boat at the ends of the well.

The freeboard of a boat of this type shall be such as to provide for a reserve buoyancy of at least 35 per cent.

(ii.) *Decked Boats having a Flush Deck.*—The minimum freeboard of boats of this type is independent of their lengths and depends only upon their depths. The depth of the boat is to be measured vertically from the underside of the garboard strake to the top of the deck at the side amidships and the freeboard is to be measured from the top of the deck at the side amidships to the water-level when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts, which are applicable without correction to boats having a mean sheer equal to three per cent. of their length:—

Depth of Lifeboat.		Minimum Freeboard.	
Millimetres.	Equivalent in Inches to—	Millimetres.	Equivalent in Inches to—
310	12	70	2¾
460	18	95	3¾
610	24	130	5½
760	30	165	6½

For intermediate depths the freeboard is obtained by interpolation.

Lorsque les flotteurs ne sont pas en liège, leur volume et leur installation doivent être tels que la flottabilité et la stabilité de l'embarcation ne soient pas inférieures à celles d'une embarcation similaire pourvue de flotteurs en liège.

Une embarcation métallique de ce type doit être munie de flotteurs intérieurs et extérieurs qui lui assurent une flottabilité au moins égale à celle d'une embarcation en bois.

Le franc-bord minimum des embarcations de ce type doit être fixé suivant leur longueur; il se mesure à mi-longueur de l'embarcation, et verticalement sur les flancs, depuis le sommet de la partie fixe de ceux-ci jusqu'à la flottaison en charge.

Le franc-bord en eau douce ne doit pas être inférieur aux valeurs ci-après:

Longueur de l'embarcation de sauvetage.		Franc-bord minimum.	
Mètres.	Pieds anglais.	Millimètres.	Pouces anglais.
7, 90	26	200	8
8, 50	28	225	9
9, 15	30	250	10

Le franc-bord des embarcations de longueur intermédiaire s'obtient par interpolation.

Les fargues repliables doivent être étanches.

(b.) *Embarcations pontées avec Fargues étanches fixes ou repliables.*

(i.) *Embarcations pontées avec pont surélevé en abord.*—La partie non surélevée du pont d'une embarcation de ce type doit présenter une surface non inférieure à 30 pour cent de la surface totale du pont. Cette partie non surélevée doit être, au-dessus de la flottaison en charge, d'une hauteur au moins égale en tous points à un demi pour cent de la longueur de l'embarcation; cette limite est portée à un et demi pour cent aux extrémités de cette partie.

Le franc-bord d'une embarcation de ce type doit être tel qu'il lui assure une réserve de flottabilité au moins égale à 35 pour cent.

(ii.) *Embarcations pontées à pont non surélevé.*—Le franc-bord minimum des embarcations de ce type est indépendant de leur longueur et est uniquement fixé d'après leur creux. Les mesures sont prises à mi-longueur de l'embarcation et verticalement, depuis le sommet du pont en abord jusqu'au-dessous du galbord pour le creux et jusqu'à la flottaison en charge pour le franc-bord.

Le franc-bord en eau douce ne doit pas être inférieur aux valeurs ci-après, qui sont applicables sans correction aux embarcations dont la tonture moyenne est égale aux trois centièmes de leur longueur:

Creux de l'embarcation de sauvetage.		Franc-bord minimum.	
Millimètres.	Pouces anglais.	Millimètres.	Pouces anglais.
310	12	70	2¾
460	18	95	3¾
610	24	130	5¾
760	30	165	6½

Le franc-bord des embarcations de creux intermédiaire s'obtient par interpolation.

If the sheer is less than the standard sheer defined above, the minimum freeboard is obtained by adding to the figures in the table one-seventh of the difference between the standard sheer and the actual mean sheer measured at the stem and stern post; no deduction is to be made from the freeboard on account of the sheer being greater than the standard sheer or on account of the camber of the deck.

(iii.) All decked lifeboats shall be fitted with efficient means for clearing the deck of water.

## REGULATION XXVII.

### *Motor Boats.*

Motor boats.  
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A motor boat carried as part of the lifesaving appliances of a vessel, whether required by Regulation XXXVI (2) or not, shall comply with the following conditions:—

(a.) It shall comply with the requirements for a lifeboat of Class I, and proper appliances shall be provided for putting it into the water speedily.

(b.) It shall be adequately provided with fuel, and kept so as to be at all times ready for use.

(c.) The motor and its accessories shall be suitably enclosed to ensure operation under adverse weather conditions, and provision shall be made for going astern.

(d.) The speed shall be at least six knots when fully loaded in smooth water.

The volume of the internal buoyancy and, where fitted, the external buoyancy shall be increased in sufficient proportion to compensate for the difference between the weight of the motor, the searchlight, and the wireless telegraph installation and their accessories, and the weight of the additional persons which the boat could accommodate if the motor, the searchlight and the wireless telegraph installation and their accessories were removed.

## REGULATION XXVIII.

### *Life Rafts.*

Life rafts.

No type of life raft may be approved unless it satisfies the following conditions:—

(a.) It shall be of approved material and construction;

(b.) It shall be effective and stable when floating either way up;

(c.) It shall be fitted with fixed or collapsible bulwarks of wood, canvas or other suitable material on both sides;

(d.) It shall have a line securely becketed round the outside;

(e.) It shall be of such strength that it can be launched or thrown from the vessel's deck without being damaged, and if to be thrown it shall be of such size and weight that it can be easily handled;

(f.) It shall have not less than 85 cubic decimetres (equivalent to three cubic feet) of air-cases or equivalent buoyancy for each person to be carried thereon;



Si la tonture est moindre que la tonture normale définie précédemment, le franc-bord minimum s'obtient en ajoutant aux nombres du tableau la septième partie de la différence entre la tonture normale et la moyenne des tontures réelles à l'étrave et à l'étambot; aucune réduction du franc-bord n'est accordée pour une tonture supérieure à la tonture normale ni pour le bouge du pont.

(iii.) Toutes les embarcations de sauvetage pontées doivent être pourvues de dispositifs efficaces pour assurer l'évacuation de l'eau du pont.

## RÈGLE XXVII.

### *Embarcations à moteur.*

Pour qu'une embarcation à moteur puisse être admise comme faisant partie des engins de sauvetage d'un navire, que ce soit à titre obligatoire en vertu de la Règle XXXVI, (2) ou non, elle doit remplir les conditions ci-après:

(a.) Elle doit satisfaire aux prescriptions formulées pour une embarcation de sauvetage de la Classe I et des dispositifs convenables doivent être prévus pour la mettre à l'eau rapidement.

(b.) Elle doit contenir un approvisionnement suffisant de combustible et être tenue constamment en état de marche.

(c.) Le moteur et ses accessoires doivent être enfermés convenablement pour en assurer le fonctionnement dans des conditions de temps défavorables, et on devra pouvoir faire marche arrière dans les mêmes conditions.

(d.) La vitesse doit être d'au moins six nœuds en pleine charge et en eau calme.

Le volume des flotteurs intérieurs et, le cas échéant, des flotteurs extérieurs, doit être augmenté dans une mesure convenable pour tenir compte de la différence entre le poids du moteur, du projecteur, de l'installation radiotélégraphique et de leurs accessoires et le poids des personnes supplémentaires que l'embarcation pourrait recevoir si le volume occupé par le moteur, le projecteur, l'installation radiotélégraphique et leurs accessoires était rendu disponible.

## RÈGLE XXVIII.

### *Radeaux de Sauvetage.*

Un type de radeau de sauvetage ne peut être approuvé s'il ne satisfait aux conditions suivantes:

(a.) Il doit être de matière et de construction approuvées.

(b.) Il doit être utilisable et stable, quelle que soit la face sur laquelle il flotte.

(c.) Il doit être pourvu sur les deux faces de fargues fixes ou repliables en bois, en toile ou en toute autre matière convenable.

(d.) Il doit avoir une filière en guirlande solidement attachée tout autour des parois extérieures.

(e.) Il doit avoir résistance suffisante pour pouvoir être lancé ou jeté sans avaries du pont du navire et, s'il est disposé pour être jeté, il doit être de dimensions et de poids tels qu'on puisse le manœuvrer facilement.

(f.) Il ne doit pas avoir moins de 85 décimètres cubes (trois pieds cubes) de caissons à air ou de flotteurs équivalents, pour chaque personne qu'il peut porter.

(g.) It shall have a deck area of not less than 3,720 square centimetres (equivalent to four square feet) for each person to be carried thereon, and it shall effectively support the occupants out of the water;

(h.) The air-cases or equivalent buoyancy shall be placed as near as possible to the sides of the life raft, and such buoyancy shall not be by any means dependent on inflation by air.

#### REGULATION XXIX.

##### *Buoyant Apparatus.*

Buoyant apparatus.

Buoyant apparatus, whether buoyant deck seats, buoyant deck chairs or other buoyant apparatus, shall be deemed sufficient, so far as buoyancy is concerned, for a person or number of persons to be ascertained by dividing the number of kilogrammes of iron which it is capable of supporting in fresh water by 14.5 (equivalent to the number of pounds divided by 32), and if the apparatus depends for its buoyancy on air it shall not require to be inflated before use in an emergency.

The number of persons for whom the apparatus is deemed suitable shall be determined by the least of the numbers ascertained either as above or by the number of 30.5 centimetres (equivalent to one foot) in the perimeter.

Such approved buoyant apparatus shall comply with the following conditions:—

1. It shall be constructed with proper workmanship and materials.
2. It shall be effective and stable when floating either way up.
3. It shall be of such size, strength and weight that it can be handled without mechanical appliances and, if necessary, thrown without damage from the vessel's deck on which it is stowed.
4. The air-cases or equivalent buoyancy shall be placed as near as possible to the sides of the apparatus.
5. It shall have a line securely becketed round the outside of the apparatus.

#### REGULATION XXX.

##### *Cubic Capacity of Lifeboats of Class I.*

Cubic capacity of lifeboats of Class I.

1. The cubic capacity of a lifeboat of Class I shall be determined by Stirling's (Simpson's) Rule or by any other method giving the same degree of accuracy. The capacity of a square-sterned boat shall be calculated as if the boat had a pointed stern.

2. For example, the capacity in cubic metres (or cubic feet) of a boat, calculated by the aid of Stirling's Rule, may be considered as given by the following formula:—

$$\text{Capacity} = \frac{l}{12} (4A + 2B + 4C)$$

*l* being the length of the boat in metres (or feet) from the inside of the planking or plating at the stem to the corresponding point at the stern post; in the case of a boat with a square stern, the length is measured to the inside of the transom.

(g.) Il doit avoir une surface de pont d'au moins 3720 centimètres carrés (quatre pieds carrés) pour chaque personne qu'il peut porter et les personnes qu'il porte doivent être effectivement hors de l'eau.

(h.) Les caissons à air ou les flotteurs équivalents doivent être disposés le plus possible en abord; aucun flotteur ne peut d'ailleurs être admis qui nécessiterait une insufflation d'air.

### RÈGLE XXIX.

#### *Engins flottants.*

Un engin flottant, que ce soit un banc de pont flottant, une chaise de pont flottante ou tout autre engin flottant, doit être considéré, pour ce qui concerne la flottabilité, comme correspondant au nombre de personnes obtenu en divisant le nombre de kilogrammes de fer qu'il peut supporter en eau douce par 14,5 (équivalant au poids en livres divisé par 32). Si l'air est employé pour obtenir la flottabilité de l'appareil, il ne doit pas être nécessaire de procéder à une insufflation avant d'utiliser cet engin en cas d'urgence.

Le nombre de personnes pour lequel l'engin est considéré comme utilisable est le plus petit des deux nombres obtenus soit par la flottabilité comme il est dit ci-dessus, soit en divisant le périmètre, exprimé en centimètres par 30,5 (1 pied).

Chacun des engins flottants approuvés doit réaliser les conditions suivantes:—

1. Il doit être de matière et de construction approuvées;
2. Il doit être utilisable et stable, quelle que soit la face sur laquelle il flotte;
3. Il doit avoir des dimensions, une résistance et un poids tels qu'il puisse être manœuvré sans l'aide d'appareils mécaniques et, si cela est nécessaire, jeté à la mer sans avarie, depuis le pont du navire où il est placé;
4. Les caissons à air ou les flotteurs équivalents doivent être placés aussi près que possible des côtés de l'engin;
5. Il doit avoir une filière en guirlande solidement attachée tout autour des parois extérieures.

### RÈGLE XXX.

#### *Capacité cubique des Embarcations de Sauvetage de la Classe I.*

1. La capacité cubique d'une embarcation de sauvetage de la Classe I doit être déterminée par la règle de Simpson (Stirling), ou par toute autre méthode donnant une précision du même ordre. La capacité d'une embarcation à arrière carré doit être calculée comme si l'embarcation était à arrière pointu.

2. A titre d'indication, la capacité, en mètres (ou pieds anglais) cubes, d'une embarcation, calculée à l'aide de la Règle de Simpson, peut être considérée comme donnée par la formule:

$$\text{Capacité} = \frac{l}{12} \times (4A + 2B + 4C)$$

*l* désigne la longueur de l'embarcation mesurée en mètres (ou pieds anglais) à l'intérieur du bordé en bois ou tôle, de l'étrave à l'étambot; dans le cas d'une embarcation à arrière carré, la longueur doit être mesurée jusqu'à la face intérieure du tableau.

A, B, C denote respectively the areas of the cross-sections at the quarter length forward, amidships, and the quarter length aft, which correspond to the three points obtained by dividing  $l$  into four equal parts (the areas corresponding to the two ends of the boat are considered negligible).

The areas A, B, C shall be deemed to be given in square metres (or square feet) by the successive application of the following formula to each of the three cross-sections:—

$$\text{Area} = \frac{h}{12} (a + 4b + 2c + 4d + e)$$

$h$  being the depth measured in metres (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level, as determined hereafter.

$a, b, c, d, e$  denote the horizontal breadths of the boat measured in metres (or in feet) at the upper and lower points of the depth and at the three points obtained by dividing  $h$  into four equal parts ( $a$  and  $e$  being the breadths at the extreme points, and  $c$  at the middle point, of  $h$ ).

3. If the sheer of the gunwale, measured at the two points situated at a quarter of the length of the boat from the ends, exceeds 1 per cent. of the length of the boat, the depth employed in calculating the area of the cross-sections A or C shall be deemed to be the depth amidships plus 1 per cent. of the length of the boat.

4. If the depth of the boat amidships exceeds 45 per cent. of the breadth, the depth employed in calculating the area of the midship cross-section B shall be deemed to be equal to 45 per cent. of the breadth, and the depth employed in calculating the areas of the quarter length sections A and C is obtained by increasing this last figure by an amount equal to 1 per cent. of the length of the boat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

5. If the depth of the boat is greater than 122 centimetres (equivalent to 4 feet) the number of persons given by the application of this rule shall be reduced in proportion to the ratio of 122 centimetres to the actual depth, until the boat has been satisfactorily tested afloat with that number of persons on board, all wearing life-jackets.

6. Each Administration shall impose, by suitable formulæ, a limit for the number of persons allowed in boats with very fine ends and in boats very full in form.

7. Each Administration reserves the right to assign to a boat a capacity equal to the product of the length, the breadth and the depth multiplied by 0.6 if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner:—

*Length.*—From the intersection of the outside of the planking with the stem to the corresponding point at the stern post or, in the case of a square sterned boat, to the after side of the transom.

A, B, C désignent respectivement les aires des sections transversales, milieu avant, milieu et milieu arrière, qui correspondent aux trois points obtenus en divisant 1 en 4 parties égales. (Les aires correspondant aux deux extrémités de l'embarcation sont considérées comme négligeables.)

Les aires A, B, C doivent être considérées comme données en mètres (ou en pieds anglais) carrés par l'application successive, à chacune des trois sections transversales, de la formule suivante:

$$\text{Aire} = \frac{h}{12} \times (a + 4b + 2c + 4d + e)$$

*h* désigne le creux mesuré en mètres (ou en pieds anglais), à l'intérieur du bordé en bois ou tôle, depuis la quille jusqu'au niveau du plat-bord, ou, le cas échéant, jusqu'à un niveau inférieur déterminé comme il est dit ci-après.

*a*, *b*, *c*, *d*, *e* désignent les largeurs horizontales de l'embarcation mesurées en mètres (ou en pieds anglais) aux deux points extrêmes du creux ainsi qu'aux trois points obtenus en divisant *h* en quatre parties égales (*a* et *e* correspondent aux deux points extrêmes et *c* au milieu de *h*).

3. Si la tonture du plat-bord, mesurée en deux points situés au quart de la longueur à partir des extrémités, dépasse un centième de la longueur de l'embarcation, le creux à employer pour le calcul de la section transversale correspondante A ou C doit être pris au plus égal au creux au milieu, augmenté du centième de la longueur de l'embarcation.

4. Si le creux de l'embarcation au milieu dépasse les 45 centièmes de la largeur, le creux à employer pour le calcul de la section transversale milieu B doit être pris égal aux 45 centièmes de la largeur et les creux à employer pour le calcul des sections transversales A et C situées aux quarts avant et arrière s'en déduisent en augmentant le creux employé pour le calcul de la section B d'un centième de la longueur de l'embarcation, sans pouvoir dépasser toutefois les creux réels en ces points.

5. Si le creux de l'embarcation est supérieur à 122 centimètres (4 pieds), le nombre de personnes que l'application des règles conduit à admettre doit être réduit dans la proportion de cette limite ou creux réel, jusqu'à ce qu'une expérience à flot avec à bord ledit nombre de personnes, toutes munies de leurs brassières de sauvetage, ait permis d'arrêter définitivement ce nombre.

6. Chaque Administration doit fixer par des formules convenables une limitation du nombre des personnes dans les embarcations à extrémités très fines et dans celles qui présentent des formes très pleines.

7. Chaque Administration conserve le droit d'attribuer à une embarcation une capacité égale au produit par 0,6 des trois dimensions, s'il est reconnu que ce mode de calcul ne donne pas un résultat approché par excès; les dimensions s'entendent alors mesurées dans les conditions suivantes:

*Longueur*: hors bordé, entre intersections de celui-ci avec l'étrave et l'étambot; dans le cas d'une embarcation à arrière carré, jusqu'à la face extérieure du tableau;

*Breadth.*—From the outside of the planking at the point where the breadth of the boat is greatest.

*Depth.*—Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent. of the breadth.

In all cases the shipowner has the right to require that the cubic capacity of the boat shall be determined by exact measurement.

8. The cubic capacity of a motorboat is obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories, and, when carried, the wireless telegraphy installation and the searchlight with their accessories.

#### REGULATION XXXI.

##### *Deck Area of Boats of Class II.*

Deck area of boats  
of Class II.

1. The area of the deck of a decked boat shall be determined by the method indicated below or by any other method giving the same degree of accuracy. The same rule is to be applied in determining the area within the fixed bulwarks of a boat of Class II (a).

2. For example, the surface in square metres (or square feet) of a boat may be deemed to be given by the following formula:—

$$\text{Area} = \frac{l}{12}(2a + 1.5b + 4c + 1.5d + 2e)$$

$l$  being the length in metres (or in feet) from the intersection of the outside of the planking with the stem to the corresponding point at the stern post.

$a, b, c, d, e$  denote the horizontal breadths in metres (or in feet) outside the planking at the points obtained by dividing  $l$  into four equal parts and sub-dividing the foremost and aftermost parts into two equal parts ( $a$  and  $e$  being the breadths at the extreme sub-divisions,  $c$  at the middle point of the length, and  $b$  and  $d$  at the intermediate points).

#### REGULATION XXXII.

##### *Marking of Boats, Life Rafts and Buoyant Apparatus.*

Marking boats, life  
rafts, and buoyant ap-  
paratus.

The dimensions of the boat and the number of persons which it is authorised to carry, shall be marked on it in clear permanent characters. These marks shall be specifically approved by the officers appointed to inspect the ship.

Life rafts and buoyant apparatus shall be marked with the number of persons in the same manner.

#### REGULATION XXXIII.

##### *Carrying Capacity of Boats.*

Carrying capacity  
of boats.

1. The number of persons which a boat of one of the standard types can accommodate is equal to the greatest whole number ob-

*Largeur*: hors bordé, au fort de la section milieu;

*Creux*: au milieu, à l'intérieur du bordé, depuis la quille jusqu'au niveau du plat-bord. Mais le creux à faire intervenir dans le calcul de la capacité cubique ne peut, en aucun cas, dépasser les 45 centièmes de la largeur.

Dans tous les cas, l'armateur est en droit d'exiger que le cubage de l'embarcation soit effectué exactement.

8. La capacité cubique d'une embarcation à moteur se déduit de la capacité brute en retranchant de celle-ci un volume égal à celui qui est occupé par le moteur et ses accessoires, et, le cas échéant, par l'installation radiotélégraphique et le projecteur avec leurs accessoires.

#### RÈGLE XXXI.

##### *Surface des Embarcations de la Classe II.*

1. La surface du pont d'une embarcation pontée doit être déterminée comme il est dit ci-après, ou par toute autre méthode donnant une précision du même ordre; la même règle est applicable à la détermination de la surface comprise à l'intérieur du bordé rigide d'une embarcation de la Classe II (a).

2. A titre d'indication, la surface, en mètres (ou en pieds anglais) carrés d'une embarcation peut être considérée comme donnée par la formule:

$$\text{Surface} = \frac{l}{12} \times (2a + 1,5b + 4c + 1,5d + 2e)$$

*l* désigne la longueur, mesurée en mètres (ou en pieds anglais) hors bordé entre intersections de celui-ci avec l'étrave et l'étambot.

*a, b, c, d, e* désignent les largeurs horizontales, mesurées en mètres (ou en pieds anglais), hors bordé aux points obtenus en divisant *l* en quatre parties égales et en marquant les milieux des quarts extrêmes (*a* et *e* correspondent aux subdivisions extrêmes, *c* au milieu de la longueur, *b* et *d* aux points intermédiaires).

#### RÈGLE XXXII.

##### *Inscriptions sur les Embarcations, les Radeaux de Sauvetage et les Engins Flottants.*

Les dimensions de l'embarcation, ainsi que le nombre de personnes qu'elle est reconnue apte à recevoir, doivent être inscrits sur l'embarcation en caractères indélébiles et faciles à lire. Ces inscriptions doivent être spécialement approuvées par les fonctionnaires préposés à l'inspection du navire.

L'inscription du nombre de personnes sur les radeaux de sauvetage et les engins flottants doit être faite dans les mêmes conditions.

#### RÈGLE XXXIII.

##### *Capacité de Transport des Embarcations.*

1. Le nombre de personnes qu'une embarcation de l'un des types élémentaires est apte à recevoir est égal au plus grand nombre

tained by dividing the capacity in cubic metres (or cubic feet), or the surface in square metres (or square feet), of the boat by the standard unit of capacity, or unit of surface (according to circumstances), defined below for each type.

2. The standard units of capacity and surface for determining the number of persons are as follows:—

Unit of Capacity.	Cubic Metres.	Equivalent in Cubic Feet.
Open boats, Class I (a). . . . .	0.283	10
Open boats, Class I (b). . . . .	0.255	9
Unit of Surface.	Square Metres.	Equivalent in Square Feet.
Class II . . . . .	0.325	3½

3. The Administration may accept, in place of 0.325 or 3½, as the case may be, a smaller divisor, if it is satisfied after trial that the number of persons for whom there is seating accommodation in the decked boat in question is greater than the number obtained by applying the above divisor, provided always that the divisor adopted in place of 0.325 or 3½, as the case may be, may never be less than 0.280 or 3, as the case may be.

The Administration which accepts a lower divisor in this way shall communicate to the other Administrations particulars of the trial and drawings of the decked boat in question.

REGULATION XXXIV.

*Capacity Limits.*

Capacity limits.

No boat shall be marked for a greater number of persons than that obtained in the manner specified in these Regulations.

This number shall be reduced—

(1) when it is greater than the number of persons for which there is proper seating accommodation; the latter number shall be determined in such a way that the persons when seated do not interfere in any way with the use of the oars;

(2) when, in the case of boats other than those of Class I, the freeboard when the boat is fully loaded is less than the freeboard laid down for each type respectively; the number shall be reduced until the freeboard when the boat is fully loaded is at least equal to the standard freeboard laid down above.

In boats of Class II (b) (i), the raised part of the deck at the sides may be regarded as affording seating accommodation.

REGULATION XXXV.

*Equivalents for and Weight of the Persons.*

Equivalents for and weight of the persons.

In the tests for determining the number of persons which a boat or life raft can accommodate, each person shall be assumed to be an adult person wearing a life-jacket.



entier contenu dans le quotient de la capacité en mètres (ou pieds) cubes, ou de la surface en mètres (ou pieds) carrés de l'embarcation, par la valeur réglementaire de la capacité unitaire, ou de la surface unitaire (suivant le cas) qui est défini ci-après pour chaque type.

2. Les valeurs réglementaires des capacités et surfaces unitaires sont les suivantes:

Capacités unitaires.	En mètres cubes.	En pieds cubes anglais.
Embarcations ouvertes, Classe I (a) . .	0, 283	10
Embarcations ouvertes, Classe I (b) . .	0, 255	9
Surfaces unitaires.	En mètres carrés.	En pieds carrés anglais.
Classe II . . . . .	0, 325	3½

3. L'Administration a la faculté d'accepter, au lieu de 0.325 ou 3½ suivant le cas, un diviseur plus faible, si un essai lui a fait reconnaître que le nombre de places assises dans l'embarcation pontée en question est plus élevé que celui qui résulte de l'application du premier diviseur; toutefois, la valeur adoptée, en remplacement de 0.325 ou 3½ suivant le cas, ne peut être inférieure à 0.280 ou 3 suivant le cas.

L'Administration qui aura usé de cette faculté doit communiquer aux autres Administrations le compte rendu de l'essai effectué, accompagné des plans de l'embarcation pontée en question.

#### RÈGLE XXXIV.

##### *Limites de la Capacité.*

On ne doit pas inscrire sur une embarcation un nombre de personnes supérieur à celui qu'on obtient par les méthodes indiquées au présent Règlement.

Ce nombre doit être réduit:

(1) lorsqu'il est supérieur au nombre des personnes qui ont une place assise convenable, ce dernier étant déterminé de telle façon que les personnes assises ne gênent en rien le maniement des avirons;

(2) lorsque, dans le cas d'embarcations autres que celles de la Classe I, le franc-bord en pleine charge est inférieur aux francs-bords indiqués respectivement pour les divers types. Dans ce cas, le nombre dont il s'agit doit être réduit dans toute la mesure nécessaire pour que le franc-bord en pleine charge soit au moins égal aux susdits francs-bords réglementaires.

Dans les embarcations de la Classe II (b) (i), la partie surélevée du pont en abord peut être considérée comme offrant des places assises.

#### RÈGLE XXXV.

##### *Emplacement et poids des personnes.*

Dans les expériences ayant pour but d'évaluer le nombre de personnes qu'une embarcation ou qu'un radeau de sauvetage est apte à recevoir, chaque unité correspond à une personne adulte, munie d'une brassière de sauvetage.

In verifications of freeboard the decked boats shall be loaded with a weight of at least 75 kilogrammes (165 lbs.) for each adult person that the decked boat is authorised to carry.

In all cases two children under 12 years of age shall be reckoned as one person.

#### REGULATION XXXVI.

##### *Equipment of Boats and Life Rafts.*

Equipment of boats  
and life rafts.

##### 1. The normal equipment of every boat shall consist of:—

- (a.) A single banked complement of oars, two spare oars and a steering oar; one set and a half of thole pins or crutches; a boat hook.
- (b.) Two plugs for each plug hole (plugs are not required when proper automatic valves are fitted); a bailer and a galvanised iron bucket.
- (c.) A rudder and a tiller or yoke and yoke lines.
- (d.) Two hatchets.
- (e.) A lamp filled with oil and trimmed.
- (f.) A mast or masts with one good sail at least, and proper gear for each.
- (g.) An efficient compass.
- (h.) A life-line becketed round the outside.
- (i.) A sea-anchor.
- (j.) A painter.
- (k.) A vessel containing four and a half litres (equivalent to one gallon) of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor.
- (l.) An airtight receptacle containing one kilogramme (equivalent to two pounds) of provisions for each person.
- (m.) A watertight receptacle provided with a dipper with lanyard containing one litre (equivalent to one quart) of fresh water for each person.
- (n.) At least one dozen self-igniting "red lights" and a box of matches in watertight containers.
- (o.) Half a kilogramme (equivalent to one pound) of condensed milk for each person.
- (p.) A suitable locker for the stowage of the small items of the equipment.
- (q.) Any boat which is certified to carry 100 or more persons shall be fitted with a motor and shall comply with the requirements of Regulation XXVII.

*Ante*, p. 1234.

A motor lifeboat need not carry a mast or sails or more than half the complement of oars, but it shall carry two boathooks.

Decked lifeboats shall have no plug-hole, but shall be provided with at least two bilge-pumps.

In the case of a ship which carries passengers in the North Atlantic north of 35° North Latitude, only a proportion of the boats, to be fixed by the Administration, need be equipped with masts and sails, and only one-half the quantity of condensed milk need be carried.

Dans les vérifications du franc-bord, les embarcations pontées doivent être chargées d'un poids de 75 kilogrammes (165 livres anglaises) au moins pour chaque personne adulte que l'embarcation pontée est reconnue apte à recevoir.

D'une façon générale, deux enfants âgés de moins de 12 ans sont comptés pour une personne.

#### RÈGLE XXXVI.

##### *Armement des Embarcations et des Radeaux de Sauvetage.*

1. L'armement normal de chaque embarcation est le suivant:

- (a) un nombre suffisant d'avirons pour la nage en pointe, plus deux avirons de rechange, et un aviron de queue; un jeu et demi de dames de nage ou de tolets; une gaffe;
- (b) deux tampons pour chaque nable (il n'est pas exigé de tampons pour les nables munis de soupapes automatiques convenables); une écope; un seau en fer galvanisé;
- (c) un gouvernail muni d'une barre franche ou à tire-veilles;
- (d) deux hachettes;
- (e) un fanal garni;
- (f) un ou plusieurs mâts, avec, au moins, une voile solide, et le gréement correspondant;
- (g) un compas efficace;
- (h) une filière extérieure en guirlande;
- (i) une ancre flottante;
- (j) une bosse;
- (k) un récipient contenant quatre litres et demi (un gallon anglais) d'huile végétale ou animale. Le récipient doit être disposé de façon à permettre de répandre aisément l'huile sur l'eau et construit de manière à pouvoir être amarré à l'ancre flottante;
- (l) un récipient étanche à l'air contenant des vivres à raison d'un kilogramme (2 livres anglaises) par personne;
- (m) un récipient étanche, avec un gobelet fixé par une aiguillette, contenant un litre (un quart anglais) d'eau douce par personne;
- (n) au moins une douzaine de signaux rouges automatiques et une boîte d'allumettes, le tout dans des récipients étanches;
- (o) 500 grammes (une livre anglaise) de lait condensé par personne;
- (p) un coffre convenable pour recevoir le petit matériel d'armement;
- (q) une embarcation admise à recevoir cent personnes ou plus doit être pourvue d'un moteur et satisfaire aux prescriptions de la Règle XXVII.

Les embarcations de sauvetage à moteur sont dispensées de porter un mât et des voiles et n'ont besoin que de la moitié de l'armement normal d'avirons, mais elles doivent avoir deux gaffes.

Les embarcations de sauvetage pontées ne doivent pas avoir de nable, mais elles doivent avoir au moins deux pompes de cale.

Dans le cas d'un navire à passagers affecté à l'Atlantique Nord (au nord du parallèle 35 degrés de latitude Nord), une partie seulement des embarcations doit être pourvue de mâts et voiles et la quantité de lait condensé doit être réduite de moitié.

2. Where the number of lifeboats carried on a ship is more than 13, one shall be a motor boat, and where the number is more than 19, two shall be motor boats. These motor lifeboats shall be fitted with a wireless telegraph installation and a searchlight.

The wireless telegraph installation shall comply with conditions as to range and efficiency to be decided by each Administration.

The searchlight shall include a lamp of at least 80 watts, an efficient reflector and a source of power which will give effective illumination of a light coloured object over a width of about 18 metres (60 feet) at a distance of 180 metres (200 yards) for a total period of six hours, and it shall be capable of working for three hours continuously.

Where the power for the wireless equipment and the searchlight are derived from the same source, this shall be sufficient to provide for the adequate working of both appliances.

3. The normal equipment of every approved life raft shall consist of—

- (a.) Four oars.
- (b.) Five rowlocks.
- (c.) A self-igniting lifebuoy light.
- (d.) A sea-anchor.
- (e.) A painter.
- (f.) A vessel containing four and a half litres (equivalent to one gallon) of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor.
- (g.) An airtight receptacle containing one kilogramme (equivalent to two pounds) of provisions for each person.
- (h.) A watertight receptacle provided with a dipper with lanyard containing one litre (equivalent to one quart) of fresh water for each person.
- (i.) At least one dozen self-igniting red lights and a box of matches in watertight containers.

4. In the case of a ship which is engaged in short international voyages, the Administration may exempt the boats from carrying the equipment specified under sub-paragraphs (f), (h) and (i) of paragraph 1 and from the requirements of paragraph 2, and may also exempt the life rafts from carrying the equipment specified in paragraph 3 (g).

#### REGULATION XXXVII.

##### *Stowage and Handling of Boats and Life Rafts.*

1. Subject to the conditions of Regulation XXXVIII, the lifeboats may be stowed one above the other, or they may, subject to such conditions as the Administration may impose, be fitted one within another, but where boats so fitted require lifting before being launched they shall only be permitted if mechanical power appliances for lifting are provided.

2. Lorsque le nombre d'embarcations est supérieur à 13, une d'elles sera à moteur, et si le nombre est supérieur à 19 il doit y avoir deux embarcations à moteur. Ces embarcations à moteur doivent être munies d'une installation radiotélégraphique et d'un projecteur.

Les conditions de portée et de puissance auxquelles doit satisfaire l'installation radiotélégraphique doivent être déterminées par chaque Administration.

Le projecteur doit être constitué par une lampe d'au moins 80 watts, un réflecteur efficace et une source d'électricité permettant d'éclairer effectivement un objet de couleur claire sur une zone d'environ 18 mètres (60 pieds) de largeur, à une distance de 180 mètres (200 yards) pendant une durée totale de six heures, et en fonctionnant sans interruption pendant au moins trois heures.

Lorsque l'installation radiotélégraphique et le projecteur sont alimentés par la même source, celle-ci doit être assez puissante pour assurer le fonctionnement simultané des deux appareils.

3. L'armement normal de tout radeau de sauvetage approuvé contient:

- (a) quatre avirons;
- (b) cinq tolets;
- (c) un signal pyrotechnique de bouée de sauvetage;
- (d) une ancre flottante;
- (e) une bosse;
- (f) un récipient contenant: quatre litres et demi (1 gallon anglais) d'huile végétale ou animale; le récipient doit être disposé de façon à permettre de répandre aisément l'huile sur l'eau et construit de manière à pouvoir être amarré à l'ancre flottante;
- (g) un récipient étanche à l'air contenant des vivres à raison d'un kilogramme (2 livres anglaises) de vivres par personne;
- (h) un récipient étanche, avec un gobelet fixé par une aiguillette, contenant un litre (un quart anglais) d'eau douce par personne;
- (i) au moins une douzaine de signaux rouges automatiques et une boîte d'allumettes, le tout dans des récipients étanches.

4. Dans le cas d'un navire affecté à des voyages internationaux courts, l'Administration peut dispenser les embarcations de porter l'armement prescrit par les alinéas (f), (l) et (o) du paragraphe 1 et de satisfaire aux prescriptions du paragraphe 2; elle peut aussi dispenser les radeaux de sauvetage de porter l'armement prescrit par l'alinéa (g) du paragraphe 3.

### RÈGLE XXXVII.

#### *Installation et Manœuvre des Embarcations et des Radeaux de Sauvetage.*

1. Sous réserve des prescriptions de la Règle XXXVIII, les embarcations de sauvetage peuvent être placées l'une au-dessus de l'autre ou elles peuvent, sous certaines conditions que pourra imposer l'Administration, être placées l'une dans l'autre; toutefois, quand des embarcations ainsi disposées doivent être soulevées avant d'être mises à l'eau, on ne les admettra que s'il est prévu un appareil mécanique à moteur pour les soulever.

2. The lifeboats and life rafts additional to boats stowed under boats attached to davits may be stowed across a deck, bridge or poop and so secured that they will have the best chance of floating free of the ship if there is no time to launch them.

3. As large a number as possible of the additional boats referred to in paragraph 2 shall be capable of being launched on either side of the ship by means of approved appliances for transferring them from one side of the deck to the other.

4. Boats may only be stowed on more than one deck on condition that proper measures are taken to prevent boats on a lower deck being fouled by those stowed on a deck above.

5. Boats shall not be placed in the bows of the ship or in any positions in which they would be brought into dangerous proximity to the propellers at the time of launching.

6. Davits shall be of approved form and so disposed on one or more decks that the boats placed under them can be safely lowered without interference from the operation of any other davits.

7. The davits, blocks, falls and all other gear shall be of such strength that the boats can be safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way. The falls shall be long enough to reach the water with the vessel at her lightest seagoing draught and with a list of 15 degrees.

8. The davits shall be fitted with gear of sufficient power to ensure that the boats, fully equipped and manned, but not otherwise loaded with passengers, can be turned out against the maximum list at which the lowering of the boats is possible.

9. The boats attached to the davits shall have the falls ready for service, and means shall be provided for speedily, but not necessarily simultaneously, detaching the boats from the falls.

10. Where more than one boat is served by the same set of davits, if the falls are of rope, separate falls shall be provided to serve each boat, but where wire falls are used with mechanical appliances for recovering them, separate falls need not be provided. The appliances used must be such as to ensure lowering the boats in turn and rapidly.

Where mechanical appliances are fitted for the recovery of the falls efficient hand gear shall also be provided.

11. On short international voyages where the height of the boat deck above the water line when the vessel is at her lightest sea-going draught does not exceed 4.5 metres (15 feet), the requirements as to strength of davits and turning-out gear in sub-paragraphs 7, 8 and 10 shall not apply.

2. Les embarcations de sauvetage et les radeaux de sauvetage mis en complément des embarcations placées sous bossoirs peuvent être arrimés par le travers d'un pont, d'un château ou d'une dunette et assujettis de telle sorte qu'ils aient toute chance de flotter en se libérant du navire, si on n'a pas le temps de les mettre à l'eau.

3. Le plus grand nombre possible des embarcations complémentaires auxquelles s'applique le paragraphe 2 doit pouvoir être mis à l'eau d'un bord quelconque du navire, au moyen de dispositifs approuvés permettant de les transporter d'un bord à l'autre du pont.

4. Les embarcations ne peuvent être placées sur plus d'un pont que si des mesures sont prises pour éviter que les embarcations d'un pont inférieur ne soient avariées par les embarcations placées sur le pont au-dessus.

5. On ne doit pas mettre d'embarcations à l'extrême avant ni dans un emplacement où elles viendraient à une distance dangereuse des propulseurs, au moment de leur mise à l'eau.

6. Les bossoirs doivent être de forme approuvée et disposés sur un ou plusieurs ponts, de telle manière que les embarcations placées au-dessous de chacun d'eux puissent être mises à l'eau avec sécurité sans gêner la manœuvre des autres bossoirs.

7. Les bossoirs, poulies, garants et autres accessoires doivent avoir une résistance suffisante pour permettre de mettre à l'eau, avec sécurité, les embarcations contenant leur complet chargement de personnes et de matériel, même si le navire à une bande de 15 degrés d'un bord quelconque. Les garants doivent être assez longs pour permettre d'atteindre l'eau, le navire étant à son tirant d'eau minimum à la mer et ayant une bande de 15 degrés.

8. Les bossoirs doivent être pourvus d'appareils d'une force suffisante pour permettre de mettre dehors les embarcations, avec leur équipage et leur armement au complet, mais sans passagers, avec la bande contraire la plus forte pour laquelle il sera ensuite possible d'amener l'embarcation à l'eau.

9. Les embarcations attachées aux bossoirs doivent avoir leurs palans prêts à être utilisés et des dispositions doivent être prises pour que les embarcations soient rapidement libérées des palans, sans qu'il soit nécessaire que cette manœuvre soit simultanée pour les deux palans.

10. Lorsque le même jeu de bossoirs sert pour plus d'une embarcation, il doit y avoir des palans distincts pour chaque embarcation si les garants sont en cordage; mais des palans distincts ne sont pas exigés si on emploie des garants métalliques avec un dispositif mécanique pour les rentrer. Les appareils employés doivent permettre de mettre à l'eau les embarcations avec ordre et rapidité.

Lorsqu'un dispositif mécanique est employé pour rentrer les garants, il doit être complété par une commande à main efficace.

11. Dans les voyages internationaux courts, si la hauteur du pont des embarcations au-dessus de la flottaison correspondant au plus faible tirant d'eau du navire à la mer ne dépasse pas quatre mètres cinquante (15 pieds), on n'appliquera pas les prescriptions des paragraphes 7, 8 et 10 ci-dessus.

## REGULATION XXXVIII.

*Number and Capacity of Boats, Life Rafts, &c., and Davits.*

Boats, life rafts, etc.,  
and davits.

Number and ca-  
pacity.

1. A ship shall be provided with sets of davits in accordance with its length as provided in Column A of the Table in Regulation XXXIX, provided that a number of sets of davits greater than the number of boats necessary for the accommodation of all the persons on board shall not be required.

Each set of davits shall have a boat of Class I attached to it. If the lifeboats attached to davits do not provide sufficient accommodation for all the persons on board, additional lifeboats of one of the standard types shall be provided. One additional lifeboat shall, in the first place, be stowed under each of the boats attached to davits. After these have been fitted other boats shall be carried inboard, but an Administration may, if it is of opinion that life rafts will be more readily available and otherwise more satisfactory than these lifeboats in a case of emergency, allow life rafts to be carried provided that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column C of the Table in Regulation XXXIX.

When in the opinion of the Administration it is neither practicable nor reasonable to place on a ship the number of sets of davits required by Column A of the Table in Regulation XXXIX, the Administration may authorise, under exceptional conditions, a smaller number of sets of davits, provided always that this number shall never be less than the minimum number fixed by Column B of the Table and that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column C.

2. A ship engaged on short international voyages shall be provided with sets of davits in accordance with its length as provided in Column A of the Table in Regulation XXXIX. Each set of davits shall have a boat of Class I attached to it. If the lifeboats attached to davits do not provide the minimum cubic capacity specified in Column D of the Table in Regulation XXXIX or provide accommodation for all persons on board, additional lifeboats of one of the standard types, approved life rafts or other approved buoyant apparatus shall be provided, and the accommodation thus provided shall be sufficient for all on board.

When in the opinion of the Administration it is neither practicable nor reasonable to place on a ship engaged in short international voyages, the number of sets of davits required by Column A of the Table in Regulation XXXIX, the Administration may authorise, under exceptional conditions, a smaller number of sets of davits, provided always that this number shall never be less than the minimum number fixed by Column B of the Table, and that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column D.



## RÈGLE XXXVIII.

*Nombre et Capacité des Embarcations et des Radeaux de Sauvetage, &c. . . . Bossoirs.*

1. Tout navire doit avoir un nombre de jeux de bossoirs déterminé d'après sa longueur, par la Colonne A du tableau inséré à la Règle XXXIX, sous réserve qu'il ne sera pas exigé un nombre de jeux de bossoirs supérieur à celui des embarcations nécessaires pour recevoir toutes les personnes présentes à bord.

Sous chaque jeu de bossoirs doit être attachée une embarcation de la Classe I. Si les embarcations de sauvetage attachées aux bossoirs ne fournissent pas une place suffisante pour recevoir toutes les personnes présentes à bord, on doit installer des embarcations additionnelles de l'un des types réglementaires. Tout d'abord une embarcation additionnelle doit être placée sous chacune des embarcations attachées aux bossoirs. Lorsque celles-ci auront été installées, le reste des embarcations sera placé en retrait. Toutefois les diverses Administrations, si elles estiment que les radeaux de sauvetage sont plus rapidement utilisables et par ailleurs plus efficaces que les embarcations de sauvetage, en cas d'urgence, peuvent permettre d'installer des radeaux de sauvetage, pourvu que la capacité totale des embarcations du navire soit au moins égale au minimum fixé par la Colonne C du tableau inséré à la Règle XXXIX.

Lorsque, dans l'opinion d'une Administration, il n'est ni pratiquement possible, ni raisonnable de mettre sur un navire le nombre de jeux de bossoirs exigé par la Colonne A du tableau inséré à la Règle XXXIX, cette Administration peut, dans certains cas exceptionnels, autoriser une réduction du nombre de jeux de bossoirs, pourvu, toutefois, que ce nombre ne soit pas inférieur au nombre réduit fixé par la Colonne B et aussi que la capacité totale des embarcations du navire soit au moins égale au minimum exigé par la Colonne C.

2. Un navire affecté à des voyages internationaux courts doit avoir un nombre de jeux de bossoirs d'après sa longueur, fixé par Colonne A du tableau inséré à la Règle XXXIX. Sous chaque jeu de bossoirs doit être attachée une embarcation de la Classe I. Si les embarcations de sauvetage attachées aux bossoirs n'ont pas la capacité minimum exigée par la Colonne D du tableau de la Règle XXXIX, et si elles ne contiennent pas une place pour chaque personne présente à bord, on installera des embarcations de sauvetage complémentaires d'un des types réglementaires, des radeaux de sauvetage approuvés ou d'autres engins flottants approuvés, de façon à ce qu'il y ait ainsi une place suffisante pour toutes les personnes présentes à bord.

Lorsque, dans l'opinion d'une Administration, il n'est ni pratiquement possible, ni raisonnable de mettre sur un navire effectuant des voyages internationaux courts, le nombre de jeux de bossoirs exigé par la Colonne A du tableau inséré à la Règle XXXIX, l'Administration peut, dans certains cas exceptionnels, autoriser une réduction dans le nombre de jeux de bossoirs, pourvu, toutefois, que ce nombre ne soit pas inférieur au nombre réduit exigé par la Colonne B et aussi que la capacité totale des embarcations du navire soit au moins égale au minimum exigé par la Colonne D.

## REGULATION XXXIX.

*Table relating to davits and lifeboat capacity.*

Table relating to  
davits and lifeboat  
capacity.

The following table fixes, according to the length of the ship—

- (A.) *The minimum number of sets of davits to be provided to each of which must be attached a boat of Class I in accordance with Regulation XXXVIII above.*
- (B.) *The smaller number of sets of davits which may be authorised exceptionally under Regulation XXXVIII.*
- (C.) *The minimum life-boat capacity required, including the lifeboats attached to davits and the additional boats, in accordance with Regulation XXXVIII.*
- (D.) *The minimum life-boat capacity required for a ship engaged in short international voyages.*

Registered Length of the Ship.		(A.) Mini- mum Number of Sets of Davits.	(B.) Smaller Number of Sets of Davits authorised exception- ally.	(C.) Minimum Capac- ity of Lifeboats.		(D.) Minimum Capac- ity of Lifeboats.			
Metres.	Feet.			Cubic Metres.	Cubic Feet.	Cubic Metres.	Cubic Feet.		
31 and under	37...	100 and under	120	2	2	23	980	11	400
37	" 43...	120	" 140	2	2	35	1,220	17	600
43	" 49...	140	" 160	2	2	44	1,550	24	850
49	" 53...	160	" 175	3	3	53	1,880	33	1,150
53	" 58...	175	" 190	3	3	68	2,390	37	1,300
58	" 63...	190	" 205	4	4	78	2,740	41	1,450
63	" 67...	205	" 220	4	4	94	3,330	45	1,600
67	" 70...	220	" 230	5	4	110	3,900	48	1,700
70	" 75...	230	" 245	5	4	129	4,560	52	1,850
75	" 78...	245	" 255	6	5	144	5,100	60	2,100
78	" 82...	255	" 270	6	5	160	5,640	68	2,400
82	" 87...	270	" 285	7	5	175	6,190	76	2,700
87	" 91...	285	" 300	7	5	198	6,980	85	3,000
91	" 96...	300	" 315	8	6	214	7,550	94	3,300
96	" 101...	315	" 330	8	6	236	8,290	105	3,700
101	" 107...	330	" 350	9	7	255	9,000	116	4,100
107	" 113...	350	" 370	9	7	273	9,630	125	4,400
113	" 119...	370	" 390	10	7	301	10,660	133	4,700
119	" 125...	390	" 410	10	7	331	11,700	144	5,100
125	" 133...	410	" 435	12	9	370	13,060	156	5,500
133	" 140...	435	" 460	12	9	408	14,430	170	6,000
140	" 149...	460	" 490	14	10	451	15,920	185	6,550
149	" 159...	490	" 520	14	10	490	17,310	201	7,100
159	" 168...	520	" 550	16	12	530	18,720	217	7,650
168	" 177...	550	" 580	16	12	576	20,350		
177	" 186...	580	" 610	18	13	620	21,900		
186	" 195...	610	" 640	18	13	671	23,700		
195	" 204...	640	" 670	20	14	717	25,350		
204	" 213...	670	" 700	20	14	768	27,050		
213	" 223...	700	" 730	22	15	808	28,560		
223	" 232...	730	" 760	22	15	854	30,180		
232	" 241...	760	" 790	24	17	908	32,100		
241	" 250...	790	" 820	24	17	972	34,350		
250	" 261...	820	" 855	26	18	1,031	36,450		
261	" 271...	855	" 890	26	18	1,097	38,750		
271	" 282...	890	" 925	28	19	1,160	41,000		
282	" 293...	925	" 960	28	19	1,242	43,880		
293	" 303...	960	" 995	30	20	1,312	46,350		
303	" 314...	995	" 1,030	30	20	1,380	48,750		

Note on (A) and (B).—When the length of the ship exceeds 314 metres (equivalent to 1,030 feet) the Administration shall determine the minimum number of sets of davits for that ship; full particulars of its decision shall be communicated to the other Administrations.

Note on (C) and (D).—For the purposes of this table the capacity of a boat of Class II is obtained by multiplying the number of persons for which the boat is certified by 0.233 to obtain the capacity in cubic metres and by 10 to obtain the capacity in cubic feet.

Note on (D).—When the length of a ship is under 31 metres (equivalent to 100 feet) or over 168 metres (equivalent to 550 feet) the cubic capacity of the lifeboats shall be prescribed by the Administration.

## RÈGLE XXXIX.

*Tableau relatif aux Bossoirs et à la Capacité des Embarcations de sauvetage.*

Le Tableau ci-après fixe, d'après la longueur du navire:

- (A.) *le nombre minimum de jeux de bossoirs à installer et sous chacun desquels doit être attachée une embarcation de la Classe I conformément à la Règle XXXVIII ci-dessus;*  
 (B.) *le nombre réduit de jeux de bossoirs qui peut être admis exceptionnellement, conformément à la Règle XXXVIII;*  
 (C.) *la capacité minimum requise pour les embarcations de sauvetage comprenant les embarcations sous bossoirs et les embarcations additionnelles, conformément à la Règle XXXVIII;*  
 (D.) *la capacité minimum requise pour les embarcations de sauvetage sur un navire effectuant des voyages internationaux courts.*

Longueur enregistrée du Navire.		(A.) Nombre minimum de Jeux de Bos- soirs.	(B.) Nombre réduit de Jeux de Bossoirs qui peut être admis exception- nellement.	(C.) Capacité mini- mum des Em- barcations de Sauvetage.		(D.) Capacité mini- mum des Em- barcations de Sauvetage.	
Mètres.	Pieds anglais.			Mètres Cubes.	Pieds cubes anglais.	Mètres Cubes.	Pieds cubes anglais.
31 {et au-des- sous de }	37... 100 {et au-des- sous de }	2	2	28	980	11	400
37	43... 120	2	2	35	1,220	17	600
43	49... 140	2	2	44	1,550	24	850
49	55... 160	3	3	53	1,880	33	1,150
53	58... 175	3	3	68	2,390	37	1,300
58	63... 190	4	4	78	2,740	41	1,450
63	67... 205	4	4	94	3,330	45	1,600
67	70... 220	5	4	110	3,900	48	1,700
70	73... 230	5	4	129	4,560	52	1,850
75	78... 245	6	5	144	5,100	60	2,100
78	82... 255	6	5	160	5,640	68	2,400
82	87... 270	7	5	175	6,190	76	2,700
87	91... 285	7	5	196	6,930	85	3,000
91	96... 300	8	6	214	7,550	94	3,300
96	101... 315	8	6	235	8,290	105	3,700
101	107... 330	9	7	255	9,000	116	4,100
107	113... 350	9	7	273	9,630	125	4,400
113	119... 370	10	7	301	10,650	133	4,700
119	125... 390	10	7	331	11,700	144	5,100
125	133... 410	12	9	370	13,060	156	5,500
133	140... 435	12	9	408	14,430	170	6,000
140	149... 460	14	10	461	15,920	185	6,550
149	159... 490	14	10	490	17,310	201	7,100
159	168... 520	16	12	530	18,720	217	7,650
168	177... 550	16	12	576	20,350		
177	186... 580	18	13	620	21,900		
186	195... 610	18	13	671	23,700		
195	204... 640	20	14	717	25,350		
204	213... 670	20	14	766	27,050		
213	223... 700	22	15	808	28,560		
223	232... 730	22	15	854	30,150		
232	241... 760	24	17	908	32,100		
241	250... 790	24	17	972	34,350		
250	261... 820	26	18	1,031	36,450		
261	271... 855	26	18	1,097	38,750		
271	282... 890	28	19	1,160	41,000		
282	293... 925	28	19	1,242	43,880		
293	303... 960	30	20	1,312	46,350		
303	314... 995	30	20	1,380	48,750		

Note sur (A) et (B).—Lorsque la longueur du navire dépasse 314 mètres (équivalant à 1,030 pieds anglais) l'Administration doit déterminer le nombre de jeux de bossoirs que ledit navire doit recevoir. Copie de la décision doit être donnée aux autres Administrations.

Note sur (C) et (D).—Pour l'application de ce Tableau la capacité d'une embarcation de la Classe II s'obtient en multipliant le nombre de personnes pour lequel l'embarcation est certifiée par 0,233 pour obtenir la capacité en mètres cubes et par 10 pour obtenir la capacité en pieds cubes.

Note sur (D).—Lorsque la longueur du navire est au-dessous de 31 mètres (équivalant à 100 pieds) ou qu'elle dépasse 168 mètres (équivalant à 550 pieds) la capacité cubique des embarcations de sauvetage doit être déterminée par l'Administration.

REGULATION XL.

*Life-Jackets and Life-Buoys.*

Life-jackets and life-buoys.

- 1. A life-jacket shall satisfy the following requirements:—
  - (a.) It shall be constructed with proper workmanship and materials.
  - (b.) It shall be capable of supporting in fresh water for 24 hours 7.5 kilogrammes of iron (equivalent to 16½ pounds);
  - (c.) It shall be reversible.

Life-jackets the buoyancy of which depends on air compartments are prohibited.

- 2. A lifebuoy shall satisfy the following requirements:—
  - (a.) It shall be of solid cork or any other equivalent material;
  - (b.) It shall be capable of supporting in fresh water for 24 hours at least 14.5 kilogrammes (equivalent to 32 pounds) of iron.

Life-buoys filled with rushes, cork shavings or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

3. The minimum number of life-buoys with which ships are to be provided is fixed by the following table:—

Length of the Ship.		Minimum Number of Buoys.
Metres.	Equivalent in Feet.	
Under 61 . . . . .	Under 200 . . . . .	8
61 and under 122 . . . . .	200 and under 400 . . . . .	12
122 and under 183 . . . . .	400 and under 600 . . . . .	18
183 and under 244 . . . . .	600 and under 800 . . . . .	24
244 and over . . . . .	800 and over . . . . .	30

4. All the buoys shall be fitted with beackets securely seized. At least one buoy on each side shall be fitted with a life-line of at least 27.5 metres (15 fathoms) in length. Not less than one-half of the total number of life-buoys, and in no case less than six, shall be provided with efficient self-igniting lights which cannot be extinguished in water, and these shall be kept near the buoys to which they belong, with the necessary means of attachment.

5. All the life-buoys and life-jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life-buoys shall always be capable of being rapidly cast loose and shall not be permanently secured in any way.

## RÈGLE XL.

*Brassières de Sauvetage et Bouées de Sauvetage.*

1. Une brassière de sauvetage doit remplir les conditions suivantes:

- (a) être de matière et de construction approuvées;
- (b) être capable de soutenir en eau douce, pendant vingt-quatre heures, sans couler, un poids de fer de 7 kilogrammes 500 (16,5 livres anglaises);
- (c) être réversible.

Sont prohibées les brassières dont la flottabilité est assurée au moyen de compartiments à air.

2. Une bouée de sauvetage doit remplir les conditions suivantes:

- (a) être, soit en liège massif, soit en toute autre matière équivalente;
- (b) être capable de soutenir en eau douce, pendant vingt-quatre heures, sans couler, un poids de fer d'au moins 14,5 kilogrammes (32 livres anglaises).

Sont prohibées les bouées de sauvetage dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre ainsi que les bouées dont la flottabilité est assurée au moyen de compartiments à air nécessitant une insufflation préalable.

3. Le nombre minimum de bouées de sauvetage dont doivent être munis les navires est fixé par le tableau suivant:

Longueur du navire.		Nombre minimum de bouées.
Mètres.	Pieds anglais.	
Au-dessous de 61 . . . . .	Au-dessous de 200 . . . . .	8
61 et au-dessous de 122 . . . . .	200 et au-dessous de 400 . . . . .	12
122 et au-dessous de 183 . . . . .	400 et au-dessous de 600 . . . . .	18
183 et au-dessous de 244 . . . . .	600 et au-dessous de 800 . . . . .	24
244 et au-dessus . . . . .	800 et au-dessus . . . . .	30

4. Toutes les bouées doivent être pourvues de guirlandes solidement amarrées. Il doit y avoir une bouée au moins, de chaque bord, qui soit pourvue d'une ligne de sauvetage longue de 27 m. 50 (15 brasses) au moins. Le nombre des bouées de sauvetage lumineuses ne doit pas être inférieur à la moitié du nombre total des bouées de sauvetage et ne doit en aucun cas descendre au-dessous de six. Les fusées correspondantes doivent être automatiques, efficaces, et ne doivent pas s'éteindre dans l'eau; elles doivent être disposées au voisinage de leurs bouées, avec les organes de fixation nécessaires.

5. Toutes les brassières et bouées de sauvetage doivent être installées à bord de façon à être à portée immédiate de toutes les personnes embarquées; leur position doit être nettement indiquée de manière à être connue des intéressés.

Les bouées de sauvetage doivent pouvoir toujours être larguées instantanément et ne comporter aucun dispositif de fixation permanente.

REGULATION XLI.

*Certificated Lifeboatmen.*

Certificated life-  
boatmen.  
*Ante*, p. 1144.

In order to obtain the special lifeboatman's certificate provided for in Article 22 of the present Convention, the applicant must prove that he has been trained in all the operations connected with launching lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

There shall be for each boat or life-raft a number of lifeboatmen at least equal to that specified in the following table:—

If the Prescribed Complement is—	The Minimum Number of Certificated Lifeboatmen shall be—
Less than 41 persons . . . . .	2
From 41 to 61 persons . . . . .	3
From 62 to 85 persons . . . . .	4
Above 85 persons . . . . .	5

REGULATION XLII.

*Manning of Boats.*

Manning of boats.

A deck officer or certificated lifeboatman shall be placed in charge of each boat or life-raft and a second in command shall also be nominated. The person in charge shall have a list of its crew, and shall see that the men placed under his orders are acquainted with their several duties.

A man capable of working the motor shall be assigned to each motor boat.

A man capable of working the wireless and searchlight installations shall be assigned to boats carrying this equipment.

The duty of seeing that the boats, life-rafts and buoyant apparatus and other lifesaving apparatus are at all times ready for use shall be assigned to one or more officers.

REGULATION XLIII.

*Fire Detection and Extinction.*

Fire detection and  
extinction.

1. An efficient patrol system shall be maintained, so that any outbreak of fire may be promptly detected. In addition, a fire alarm or fire detecting system shall be provided, which will automatically indicate or register at one or more points or stations, where it can be most quickly observed by officers and crew, the presence or indication of fire in any part of the ship not accessible to the patrol system.

## RÈGLE XLI.

*Canotiers brevetés.*

Pour obtenir le brevet spécial de canotier prévu à l'Article 22 de la présente Convention, le postulant doit justifier qu'il est exercé dans la manœuvre complète de mise à l'eau des embarcations de sauvetage et dans le maniement des avirons; qu'il possède la connaissance et la pratique de la manœuvre des embarcations elles-mêmes; et qu'il est, en outre, capable de comprendre les ordres relatifs au service de ces divers engins et de répondre à ces ordres.

Il doit y avoir pour chaque embarcation ou radeau de sauvetage un nombre de canotiers au moins égal à celui qui est prévu au tableau ci-dessous:

Si le nombre de personnes est:	Le nombre minimum de canotiers brevetés doit être de:
Moins de 41 personnes . . . . .	2
De 41 à 61 personnes . . . . .	3
De 62 à 85 personnes . . . . .	4
Au-dessus de 85 personnes . . . . .	5

## RÈGLE XLII.

*Personnel des Embarcations de Sauvetage.*

Un officier de pont ou un canotier breveté doit être chargé de chaque embarcation ou radeau de sauvetage et il lui sera également désigné un suppléant. Celui qui est chargé d'une embarcation doit avoir la liste de son personnel et s'assurer que les hommes placés sous ses ordres connaissent respectivement leurs postes et leurs fonctions.

A toute embarcation à moteur doit être affecté un homme sachant conduire le moteur.

Un homme sachant se servir d'une installation radiotélégraphique et d'un projecteur doit être affecté à chaque embarcation comportant ces appareils.

Un ou plusieurs officiers doivent être chargés de veiller à ce que les embarcations, radeaux de sauvetage, engins flottants et autres engins de sauvetage soient toujours prêts à être utilisés.

## RÈGLE XLIII.

*Découverte et Extinction de l'Incendie.*

1. Un service effectif de ronde doit être organisé de telle manière que tout commencement d'incendie soit promptement découvert. En outre, un système d'avertisseurs d'incendie ou de détecteurs d'incendie doit être installé, pour indiquer ou enregistrer automatiquement dans un ou plusieurs points ou stations où ces indications peuvent être rapidement observées par les officiers et l'équipage, l'existence ou l'indication d'un incendie dans toutes les parties du navire inaccessibles au service de ronde.

2. Every ship shall be provided with powerful pumps, operated by steam or other means. On ships of less than 4,000 tons gross there shall be two, and on larger ships three of these pumps. Each of the pumps shall be capable of delivering a sufficient quantity of water in two powerful jets simultaneously in any given part of the ship, and shall be available for immediate use before the ship leaves port.

3. The service pipes shall permit of two powerful jets of water being simultaneously directed on any given part of a deck occupied by passengers and crew, when the watertight and fire-resisting doors are closed. The service pipes and hoses shall be of ample size and made of suitable material. The branches of the pipes shall be so placed on each deck that the fire hose can be easily coupled to them.

4. Provision shall be made whereby at least two powerful jets of water can be rapidly and simultaneously directed into any space containing cargo. In addition, arrangements shall be made whereby smothering gas sufficient to give a minimum volume of free gas equal to 30 per cent. of the gross volume of the largest hold in the ship can be promptly conveyed by a permanent piping system into each compartment in which cargo is carried. Steam in adequately equivalent proportion may be accepted in place of smothering gas on steam-driven ships. Provision for the supply of smothering gas or steam need not be required in ships of less than 1,000 tons gross.

5. A sufficient number of portable fluid fire extinguishers shall be provided, at least two being carried in each machinery space.

6. Two equipments, consisting of a smoke helmet or breathing apparatus and a safety lamp, shall be carried on board, and kept in two widely separated places.

7. In steamships in which the main boilers are oil fired, there shall be provided in addition to means whereby two powerful jets of water may be rapidly and simultaneously directed into any part of the machinery spaces—

(a.) Suitable conductors for spraying water on oil without undue disturbance of the surface.

(b.) In each firing space, a receptacle containing 283 cubic decimetres (10 cubic feet) of sand, sawdust impregnated with soda, or other approved dry materials, and scoops for distributing the same.

(c.) In each boiler room, and in each of the machinery spaces in which a part of the oil fuel installation is situated, two approved portable extinguishers of a type discharging froth or other approved medium suitable for quenching oil fires.



2. Chaque navire doit disposer de pompes à incendie puissantes mues par la vapeur ou par toute autre énergie. Ces pompes sont au nombre de deux pour les navires de moins de quatre mille tonnes de jauge brute, et de trois pour les navires plus grands. Elles doivent être assez puissantes pour débiter chacune une quantité d'eau suffisante par deux jets énergiques simultanés en un point quelconque du navire. Elles doivent être mises, avant l'appareillage, en état de fonctionner sans délai.

3. Les tuyautages d'incendie doivent permettre de diriger rapidement deux jets d'eau énergiques simultanés dans une région quelconque d'un entrepont habité dont les portes étanches et les portes contre l'incendie sont fermées. Les manches à incendie et les tuyautages doivent être largement proportionnés et faits de matières convenables. Les raccords de tuyautages doivent être dans chaque entrepont installés de telle manière que les manches puissent s'y adapter facilement.

4. Dans tout espace occupé par le chargement, on doit pouvoir diriger rapidement et simultanément au moins deux jets d'eau puissants. En outre, des dispositions doivent être prises pour amener rapidement par un tuyautage fixe, dans chaque compartiment occupé par des marchandises, un gaz extincteur en quantité telle que le volume de gaz libre soit au moins égal à trente pour cent du volume de la plus grande cale du navire. Sur les navires à vapeur, on peut accepter de la vapeur en quantité équivalente. L'installation pour l'extinction par le gaz ou la vapeur n'est pas obligatoire sur les navires de moins de 1,000 tonnes de jauge brute.

5. Des extincteurs d'incendie portatifs d'un type à fluide doivent être prévus en nombre convenable. Chaque compartiment de la tranche des machines doit en recevoir au moins deux.

6. Il doit y avoir à bord deux équipements composés chacun d'un casque ou d'un appareil respiratoire et d'un fanal de sûreté. Ils doivent être déposés en deux endroits différents.

7. Sur les navires à vapeur dans lesquels les chaudières principales sont chauffées au combustible liquide, en outre de dispositifs permettant d'amener rapidement et simultanément deux jets d'eau puissants en tout point de la tranche des machines, on doit installer:

(a) des distributeurs convenables pour projeter de l'eau en pluie sur le combustible liquide sans agitation anormale de la surface;

(b) dans chaque rue de chauffe, un récipient contenant 283 décimètres cubes (10 pieds cubes) de sable, de sciure de bois imprégnée de soude, de toute autre matière sèche approuvée et des écopés pour la répandre;

(c) dans chaque chaufferie et dans tout local de machines où se trouve une partie de l'installation de combustible liquide, deux extincteurs portatifs d'un type distributeur de mousse ou d'un autre agent approuvé efficace pour éteindre un incendie de combustible liquide;

(d.) Means whereby froth may be rapidly discharged and distributed over the whole of the lower part of the boiler room or of any one boiler room, if there are more than one, or of any machinery space in which oil fuel units or settling tanks are situated. The quantity of froth which can be discharged shall be ample to cover to a depth of 15.24 centimetres (6 inches) the whole area of the plating formed in any one compartment by the inner bottom plating, or by the shell plating of the vessel, if there is no double-bottom tank. If the engine and boiler rooms are not entirely separate, and fuel can drain from the boiler room bilges into the engine room, the combined engine and boiler rooms shall be considered as one compartment. The apparatus shall be operated and controlled from outside the compartment in which the fire may occur.

(e.) In addition to the foregoing, one extinguisher of the froth type of at least 136 litres (30 gallons) capacity in steamships having one boiler room and two such extinguishers in steamships with more than one boiler room. These extinguishers shall be provided with hoses on reels suitable for reaching any part of the boiler rooms and spaces containing oil-fuel pumping units. Equally efficient apparatus may be accepted in place of the 136 litres (30-gallons) extinguishers.

(f.) All containers and valves by which they are operated shall be easily accessible and so placed that they will not readily be cut off from use by an outbreak of fire.

8. In vessels propelled by internal combustion engines there shall be provided in each of the machinery spaces, in addition to means whereby two powerful jets of water may be rapidly and simultaneously directed into any part of the machinery spaces, together with suitable spraying conductors, froth extinguishers as follows:—

(a.) At least one approved 45 litres (10-gallons) extinguisher with an addition of one approved 9 litres (2-gallons) extinguisher for each 1,000 B.H.P. of the engines, but the total number of 9 litres (2-gallons) extinguishers so supplied shall be not less than two and need not exceed six.

(b.) When a donkey boiler is situated in the machinery space there shall be provided, in place of the 45 litres (10-gallons) extinguisher mentioned above, one of 136 litres (30 gallons) capacity, fitted with suitable hose attachments or other approved methods for distributing the froth.

9. In steamships using oil fuel, if the engine and boiler rooms are not entirely separated by a steel bulkhead, and if fuel oil can drain from the boiler-room bilges into the engine room, one of the fire pumps shall be situated in the tunnel or other space outside the machinery compartment. When more than two pumps are required they shall not all be fitted in the same space.

(d) des dispositifs pour produire et distribuer rapidement de la mousse sur toute la surface inférieure de la chaufferie ou de chacune des chaufferies, s'il y en a plusieurs, et de toute partie des machines qui renferme des pompes à combustible ou des caisses de décantation. La quantité de mousse à produire doit être suffisante pour couvrir sur une épaisseur de 15,24 centimètres (6 pouces) la surface totale des tôles formant dans un compartiment quelconque le plafond du waterballast, ou de celles du bordé extérieur là où il n'y a pas de waterballast. Si le compartiment des machines et celui des chaudières ne sont pas complètement séparés et si le combustible liquide peut passer de la cale de la chaufferie dans celle des machines, le compartiment des machines et la chaufferie seront considérés comme formant un seul compartiment. L'appareil doit pouvoir être mis en marche et contrôlé de l'extérieur du compartiment où l'incendie peut éclater;

(e) en outre de ce qui précède, il doit y avoir sur les navires à vapeur n'ayant qu'une chaufferie, un extincteur à mousse et sur les navires ayant plus d'une chaufferie, deux extincteurs à mousse d'au moins 136 litres (30 gallons) de capacité. Ces extincteurs doivent être pourvus de tuyaux sur dévidoirs permettant d'atteindre toutes les parties des chaufferies et des locaux contenant les pompes à combustible. Des appareils d'une efficacité équivalente peuvent être acceptés au lieu d'extincteurs de 136 litres (30 gallons);

(f) tous les récipients et les valves qui servent à les mettre en œuvre doivent être aisément accessibles et placés de telle sorte qu'ils ne soient pas facilement rendus inutilisables par un commencement d'incendie.

8. Dans les navires à moteurs à combustion interne, en outre des dispositifs permettant d'amener rapidement et simultanément deux jets d'eau puissants sur tous les points de la tranche des machines et également des distributeurs d'eau en pluie, on doit installer, dans chaque local des machines, les extincteurs à mousse suivants:

(a) au moins un extincteur approuvé de 45 litres (10 gallons), et, en outre, par 1,000 CV de puissance au frein des machines, un extincteur approuvé de 9 litres (2 gallons), sans que le nombre total d'extincteurs de 9 litres puisse être inférieur à deux, ni qu'il en soit exigé plus de six;

(b) lorsqu'il y a dans la tranche des machines, une chaudière auxiliaire au lieu de l'extincteur de 45 litres (10 gallons) mentionné ci-dessus, il doit en être installé un de 136 litres (30 gallons) avec son tuyautage approprié ou tout autre dispositif approuvé de distribution de mousse.

9. Sur les navires à vapeur utilisant le combustible liquide, si la chambre des machines et la chaufferie ne sont pas complètement séparées par une cloison métallique et si le combustible liquide peut passer de la cale de la chaufferie dans celle de la machine, une des pompes à incendie doit être placée dans le tunnel ou dans un autre espace hors de la tranche des machines. S'il est exigé plus de deux pompes à incendie, elles ne doivent pas être placées toutes dans le même local.

10. Where any special type of appliance, extinguishing medium or arrangement is specified, any other type of appliance, &c., may be allowed, provided that it is not less effective than the specified one. For example—a Carbon Dioxide system may be accepted in place of a froth installation (paragraph (7), sub-paragraphs (d) and (e)), provided that the quantity of carbon dioxide carried is sufficient to give a gas saturation of about 25 per cent. for the gross volume of the stokehold to about the top of the boilers.

11. All the fire-extinguishing appliances shall be thoroughly examined at least once each year by a surveyor appointed by the Administration.

#### REGULATION XLIV.

##### *Muster List.*

Muster list.

The muster list shall assign duties to the different members of the crew in connexion with—

- (a.) The closing of the watertight doors, valves, &c.
- (b.) The equipment of the boats, life rafts and buoyant apparatus generally.
- (c.) The launching of the boats attached to davits.
- (d.) The general preparation of the other boats, the life rafts, and buoyant apparatus.
- (e.) The muster of the passengers.
- (f.) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include:—

- (a.) Warning the passengers.
- (b.) Seeing that they are dressed and have put on their life-jackets in a proper manner.
- (c.) Assembling the passengers at muster stations.
- (d.) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite signals for calling all the crew to their boat and fire stations, and shall give full particulars of these signals.

#### REGULATION XLV.

##### *Musters and Drills.*

Musters and drills.

Musters of the crew for boat drill shall take place weekly when practicable, and in vessels in which the voyage exceeds one week, before leaving port. The dates upon which musters are held shall be recorded in the Official Log Book and, if in any week a muster is not held, an entry shall be made stating why a muster was not practicable.

10. Lorsqu'il est spécifié un type spécial d'appareil, d'agent extincteur ou d'installation, tout autre type peut être accepté s'il n'est pas moins efficace que le type spécifié. Par exemple, un appareil à acide carbonique peut être admis au lieu d'une installation à mousse (paragraphe 7, alinéas (d) et (e)), pourvu que la quantité d'acide carbonique transportée soit suffisante pour fournir une saturation de 25 pour cent de gaz pour le volume brut de la chaufferie mesurée jusqu'au sommet des chaudières environ.

11. Toutes les installations pour l'extinction de l'incendie doivent être entièrement visitées une fois par an par un inspecteur désigné par l'Administration.

#### RÈGLE XLIV.

##### *Rôle d'Appel.*

Le rôle d'appel fixe les fonctions des divers membres de l'équipage en ce qui concerne:

- (a) la fermeture des portes étanches, vannes, &c.;
- (b) l'armement des embarcations, des radeaux de sauvetage et des engins flottants en général;
- (c) la mise à l'eau des embarcations sous bossoirs;
- (d) la préparation générale des autres embarcations, des radeaux de sauvetage et des engins flottants;
- (e) le rassemblement des passagers;
- (f) l'extinction de l'incendie.

Le rôle d'appel fixe les fonctions que les agents du service général ont à remplir au regard des passagers, en cas d'alarme. Ces fonctions comprennent notamment:

- (a) l'alerte à donner aux passagers;
- (b) le soin de leur faire revêtir et ajuster convenablement les brassières de sauvetage;
- (c) leur rassemblement aux postes d'appel;
- (d) le service d'ordre aux passages et aux échelles et, d'une façon générale, tout ce qui concerne la circulation des passagers.

Le rôle d'appel prévoit les signaux spéciaux pour l'appel de tout l'équipage aux postes d'embarcations ou d'incendie. Il doit, en outre, contenir une description complète de ces signaux.

#### RÈGLE XLV.

##### *Appels et Exercices.*

Un appel de l'équipage pour exercice d'embarcations doit être fait, autant que possible, chaque semaine et, sur les navires où le voyage dure plus d'une semaine, avant de prendre la mer. Les dates où auront lieu ces exercices seront inscrites au journal de bord réglementaire et si, au cours d'une semaine, aucun exercice n'a eu lieu, les raisons pour lesquelles cet exercice n'était pas possible devront être mentionnées dans ce journal.

In ships in which the voyage exceeds one week practice musters of passengers should be held at an early period of each voyage.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, and that all lifesaving appliances with the gear appertaining to them are always ready for immediate use.

The emergency signal for summoning passengers to muster stations shall be a succession of more than six short blasts followed by one long blast on the whistle or syren. This shall be supplemented on all ships except those engaged in short international voyages by other electrically operated signals throughout the ship controlled from the bridge. The meaning of all signals affecting passengers shall be clearly stated in different languages on cards posted in their cabins and in other passenger quarters.

Safety of Navigation.

## SAFETY OF NAVIGATION.

### REGULATION XLVI.

#### *Transmission of Information.*

Transmission of information.

The transmission of information regarding ice, derelicts, tropical storms or any other direct danger to navigation is obligatory. The form in which the information is sent is not obligatory. It may be transmitted either in plain language (preferably English) or by means of the International Code of Signals (Wireless Telegraphy Section). It should be issued CQ to all ships, and should also be sent to the first point of the coast to which communication can be made with a request that it be transmitted to the appropriate authority.

*Ante*, p. 1160.

All messages issued under Article 34 of the present Convention will be preceded by the safety signal TTT followed by an indication of the nature of the danger, thus: TTT Ice; TTT Derelict; TTT Storm; TTT Navigation.

#### *Information Required.*

Information required.

The following information is desired, the time in all cases being Greenwich Mean Time:—

##### *(a.) Ice, Derelicts and other Direct Dangers to Navigation.*

- (1) the kind of ice, derelict or danger observed;
- (2) the position of the ice, derelict or danger when last observed;
- (3) the time and date when the observation was made.

Lorsque le voyage doit durer plus d'une semaine, il devrait être fait un exercice pratique par les passagers, au début du voyage.

Les exercices d'embarcations doivent se faire en employant à tour de rôle les différents groupes d'embarcations. Les inspections et exercices doivent être conduits de manière que l'équipage possède la connaissance complète et la pratique des fonctions qu'il a à remplir et que toutes les embarcations et tous les engins de sauvetage du navire, ainsi que leurs appareils, soient toujours prêts à être utilisés immédiatement.

Le signal d'appel pour appeler les passagers aux postes d'appel consistera en une succession d'au moins six coups courts, suivis d'un coup long, de la sirène ou du sifflet. En outre, sur tous les navires autres que ceux qui effectuent des voyages internationaux courts, on doit faire dans tout le navire des signaux commandés électriquement de la passerelle. La signification de tous les signaux intéressant les passagers doit être clairement indiquée en plusieurs langues sur des pancartes affichées dans les cabines et autres locaux pour passagers.

## SÉCURITÉ DE LA NAVIGATION.

### RÈGLE XLVI.

#### *Transmission de Renseignements.*

La transmission de renseignements concernant les glaces, épaves, tempêtes tropicales ou tout autre danger immédiat pour la navigation est obligatoire. Aucune forme spéciale de transmission n'est imposée. L'information peut être transmise soit en langage clair (de préférence en anglais), soit au moyen du Code international de Signaux (signaux radiotélégraphiques). Elle devrait être transmise, précédée de CQ à tous des navires et devrait être également envoyée au premier point de la côté où la communication peut se faire avec prière de transmettre à l'autorité compétente.

Tous les messages transmis en vertu de l'Article 34 de la présente Convention seront précédés du signal de sécurité TTT suivi d'une indication sur la nature du danger, par exemple: TTT Glace; TTT Épaves; TTT Tempête; TTT Navigation.

#### *Information requise.*

Les renseignements à fournir sont les suivants, l'heure, étant, dans tous les cas, l'heure moyenne de Greenwich:

#### (a.) *Glaces, Épaves et autres Dangers immédiats pour la Navigation.*

- (1) la nature de la glace, de l'épave ou du danger observés;
- (2) la position de la glace, de l'épave ou du danger observés en dernier lieu;
- (3) la date et l'heure où l'observation a été faite.

(b.) *Tropical Storms*.—(Hurricanes in the West Indies, Typhoons in the China Seas, Cyclones in Indian waters, and storms of a similar nature in other regions.)

- (1.) *A Statement that a Tropical Storm has been Encountered*.—This obligation should be interpreted in a broad spirit, and information transmitted whenever the master has good reason to believe that a tropical storm exists in his neighbourhood.
- (2.) *Meteorological Information*.—In view of the great assistance given by accurate meteorological data in fixing the position and movement of storm centres, each shipmaster should add to his warning message as much of the following meteorological information as he finds practicable:—

- (a) barometric pressure (millibars, inches or millimetres);
- (b) change in barometric pressure (the change during the previous two to four hours);
- (c) wind direction (true not magnetic);
- (d) wind force (Beaufort or decimal scale);
- (e) state of the sea (smooth, moderate, rough, high);
- (f) swell (slight, medium, heavy) and the direction from which it comes.

When barometric pressure is given the word "millibars," "inches" or "millimetres," as the case may be, should be added to the reading, and it should always be stated whether the reading is corrected or uncorrected.

When changes of the barometer are reported the course and speed of the ship should also be given.

All directions should be true, not magnetic.

- (3.) *Time and Date and Position of the Ship*.—These should be for the time and position when the meteorological observations reported were made and not when the message was prepared or despatched. The time used in all cases should be Greenwich Mean Time.

- (4.) *Subsequent Observations*.—When a master has reported a tropical storm it is desirable, but not obligatory, that other observations be made and transmitted at intervals of three hours, so long as the ship remains under the influence of the storm.

Examples.

*Examples.*

*Ice.*

TTT Ice. Large berg sighted in 4605 N., 4410 W., at 0800 GMT. May 15.

Ice.



(b.) *Tempêtes tropicales.*—(Ouragans aux Antilles, typhons dans les mers de Chine, cyclones dans l'Océan Indien et tempêtes de même nature dans les autres régions.)

- (1.) *Messages signalant qu'une tempête tropicale a été rencontrée.*—Cette obligation doit être comprise dans un esprit large et l'information devrait être transmise toutes les fois que le capitaine a lieu de croire qu'une tempête tropicale sévit dans son voisinage.
- (2.) *Renseignements météorologiques.*—Vu l'aide précieuse qu'assurent les renseignements météorologiques exacts en déterminant la position et le mouvement des centres de tempête, tout capitaine de navire devrait ajouter à son message d'avertissement le plus de renseignements météorologiques qu'il lui sera possible parmi les suivants:

- (a) pression barométrique (millibars, pouces anglais ou millimètres);
- (b) changement dans la pression barométrique (le changement survenu pendant la période de deux à quatre heures qui précède);
- (c) direction du vent (vraie et non magnétique);
- (d) force du vent (échelle Beaufort, ou échelle décimale);
- (e) état de la mer (calme, modérée, forte, démontée);
- (f) houle (modérée, moyenne, forte) et la direction d'où elle vient.

Lorsque la pression barométrique est indiquée, les mots "millibars, pouces anglais, ou millimètres," suivant le cas, devraient être ajoutés à la lecture faite et *il y aurait lieu de toujours indiquer si la lecture est corrigée ou non.*

Lorsque des variations barométriques sont signalées, la route et la vitesse du navire devraient toujours être indiquées.

Tous les caps indiqués doivent être vrais et non magnétiques.

- (3.) *Heure, date et position du navire.*—Ces renseignements doivent s'appliquer à l'heure et à la position où les observations météorologiques ont été prises et non à celle où le message a été préparé ou expédié. Dans tous les cas, l'heure doit être l'heure moyenne de Greenwich.
- (4.) *Observations ultérieures.*—Lorsqu'un capitaine a signalé une tempête tropicale, il est souhaitable mais non obligatoire de relever d'autres observations et de les transmettre à des intervalles de trois heures tant que le navire reste sous l'influence de la tempête.

### *Exemples.*

*Glace.*

TTT Glace. Grand iceberg aperçu à 4605 N., 4410 W., à 0800 GMT. 15 mai.

*Derelict.*

Derelict. TTT Derelict. Observed derelict almost submerged in 4006 N., 1243 W., at 1630 GMT. April 21.

*Danger to Navigation.*

Danger to navigation. TTT Navigation. Alpha lightship not on station. 1800 GMT. January 3.

*Tropical Storm.*

Tropical storm. TTT Storm. Experiencing tropical storm. Barometer corrected 994 millibars, falling rapidly. Wind NW., force 9, heavy squalls. Swell E. Course ENE., 5 knots. 2204 N., 11354 E. 0030 GMT. August 18.

TTT Storm. Appearances indicate approach of hurricane. Barometer corrected 29.64 inches falling. Wind NE., force 8. Swell medium from NE. Frequent rain squalls. Course 35°, 9 knots. 2200 N., 7236 W. 1300 GMT. September 14.

TTT Storm. Conditions indicate intense cyclone has formed. Wind S. by W. force 5. Barometer uncorrected 753 millimetres, fell 5 millimetres last three hours. Course N. 60 W., 8 knots. 1620 N., 9302 E. 0200 GMT. May 4.

TTT Storm. Typhoon to south-east. Wind increasing from N. and barometer falling rapidly. Position 1812 N., 12605 E. 0300 GMT. June 12.

Certificates. CERTIFICATES.

REGULATION XLVII.

Safety certificate for passenger ships. *Form of Safety Certificate for Passenger Ships.*

SAFETY CERTIFICATE.

Form. (Official Seal.) (Country.)

for <sup>an</sup> <sub>a short</sub> international voyage.

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1929.

Name of Ship.	Distinctive Number or Letters.	Port of Registry.	Gross Tonnage.

The I, the undersigned, (Name) Government certifies (Name) certify

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the International Convention referred to above.

*Épave.*

TTT Épave. Epave observée presque submergée à 4006 N., 1243 W., à 1630 GMT. 21 avril.

*Danger pour la Navigation.*

TTT Navigation. Bateau phare Alpha pas à son poste 1800 GMT. 3 janvier.

*Tempête tropicale.*

TTT Tempête. Subissons tempête tropicale. Baromètre corrigé 994 millibars, baisse rapidement. Vent NW, force 9 Beaufort, forts grains. Houle E. Route ENE., 5 nœuds, 2204 N., 11354 E., 0030 GMT. 18 août.

TTT Tempête. Les apparences indiquent l'approche d'un ouragan. Baromètre corrigé; 29.64 pouces en baisse. Vent NE., force 8 Beaufort. Houle moyenne du NE. Grains de pluie fréquents. Route 35 degrés, 9 nœuds. 2200 N., 7236 W. 1300 GMT. 14 septembre.

TTT Tempête. Les conditions indiquent la formation d'un cyclone intense. Vent S.  $\frac{1}{4}$  SW., force 5 Beaufort, Baromètre non corrigé 753 m/m a baissé de 5 m/m pendant les trois dernières heures. Route N. 60 W., 8 nœuds. 1620 N., 9302 E. 0200 GMT. 4 mai.

TTT Tempête. Typhon dans le SE. Le vent augmente du nord et le baromètre baisse rapidement. Position 1812 N., 12605 E., 0300 GMT. 12 juin.

## CERTIFICATS.

## RÈGLE XLVII.

*Modèle de Certificat de Sécurité pour Navire à Passagers.*

## CERTIFICAT DE SÉCURITÉ.

(Cachet officiel.)

(Nationalité.)

pour  $\frac{\text{un}}{\text{un court}}$  voyage international.

Délivré en vertu des dispositions de la

CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA  
VIE HUMAINE EN MER, 1929.

Nom du Navire.	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement

(Nom) certifie

Je, soussigné,

(Nom) certifie

I. Que le navire susvisé a été dûment visité conformément aux dispositions de la Convention internationale précitée.

II. That the survey showed that the ship complied with the requirements of the said Convention as regards—

- (1) the hull, main and auxiliary boilers and machinery;
- (2) the watertight subdivision arrangements and details;
- (3) the following subdivision loadlines:—

Subdivision loadlines assigned and marked on the ship's side at amidships (Convention Article 5).	Freeboard.	To apply when the spaces in which passengers are carried include the following alternative spaces.
C. 1	.....	.....
C. 2	.....	.....
C. 3	.....	.....

(4) the boats, life-rafts and life-saving appliances which provide for a total number (crew and passengers) of . . . . . persons, and no more, viz:—

- . . . . . boats capable of accommodating . . . . . persons.
- . . . . . life-rafts “ “ . . . . . “
- . . . . . buoyant apparatus capable of supporting . . . . . persons.
- . . . . . life-buoys.
- . . . . . life-jackets.
- . . . . . certificated lifeboatmen.

(5) the radiotelegraph installations:—

	Requirements of Articles . . . . . of the said Convention.	Actual provision.
Hours of watch.....	.....	.....
Whether approved auto-alarm fitted..	.....	.....
Whether separate emergency instal- lation fitted.....	.....	.....
Minimum number of operators.....	.....	.....
Additional operators or watchers. ....	.....	.....
Whether direction-finding apparatus fitted.....	.....	.....

III. That in all other respects the ship complies with the requirements of the said Convention, so far as those requirements apply thereto.

This certificate is issued under the authority of the \_\_\_\_\_ Govern-  
ment. It will remain in force until \_\_\_\_\_  
Issued at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_  
*Here follows the seal or signature of the authority entitled to issue this certificate.*

(Seal.)

*If signed, the following paragraph is to be added:—*  
The undersigned declares that he is duly authorised by the said Government to issue this certificate.

(Signature.)

II. Qu'à la suite de cette visite, il a été constaté que le navire satisfait aux prescriptions de ladite Convention en ce qui concerne:

- (1) la coque, les machines et les chaudières principales et auxiliaires;
- (2) les dispositions et les détails relatifs au compartimentage étanche;
- (3) les lignes de charge de compartimentage.

Lignes de Charges de Compartimentage déterminées et marquées sur la Muraille au milieu du Navire. (Article 5 de la Convention.)	Franco-bord.	A utiliser quand les Espaces affecté saux Passagers comprennent les Volumes suivants pouvant être occupés soit par des Passagers soit par des Marchandises .
C. 1		
C. 2		
C. 3		

(4.) les embarcations, radeaux de sauvetage et engins de sauvetage qui sont suffisants pour un nombre total maximum de . . . . . personnes (équipage et passagers), à savoir:

. . . . . embarcations susceptibles de recevoir . . . . . personnes.

. . . . . radeaux de sauvetage susceptibles de recevoir . . . . . personnes.

. . . . . engins flottants susceptibles de supporter . . . . . personnes.

. . . . . bouées de sauvetage.

. . . . . brassières de sauvetage.

. . . . . canotiers brevetés.

(5.) Les installations radiotélégraphiques:

	Prescriptions des Articles . . . . . de ladite Convention.	Dispositions réalisées à bord.
Heures d'écoute.....	.....	.....
Y a-t-il un appareil auto-alarme approuvé?.....	.....	.....
Y a-t-il une installation de secours indépendante?.....	.....	.....
Nombre minimum d'opérateurs.....	.....	.....
Opérateurs supplémentaires ou écouteurs.....	.....	.....
Y a-t-il un radiogoniomètre?.....	.....	.....

III. Que le navire répond à toutes les autres prescriptions de ladite convention dans la mesure où elles lui sont applicables.

Ce certificat est délivré au nom du Gouvernement . . . . . Il est valable jusqu'au 19 .

Délivré à le 19 .

(Placer ici le cachet ou la signature de l'autorité chargée de la délivrance de ce certificat.)

(Cachet.)

Si ce document est signé, le paragraphe suivant est ajouté:—

Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à délivrer le présent certificat.

(Signature.)

Safety radiotelegraph-  
y certificate.

*Form of Safety Radiotelegraphy Certificate.*

**SAFETY RADIOTELEGRAPHY CERTIFICATE.**

Form.

(Official Seal.)

(Country.)

Issued under the provisions of the  
INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1929.

Name of Ship.	Distinctive Number or Letters.	Port of Registry.	Gross Tonnage.

The \_\_\_\_\_ (Name) Government certify  
I, the undersigned, \_\_\_\_\_ (Name) certify

That the above-mentioned ship complies with the provisions of the Inter-  
national Convention referred to above as regards Radiotelegraphy:—

_____	Requirements of Articles . . . . . of the said Convention.	Actual Provision.
Hours of watch.....	.....	.....
Whether approved auto-alarm fitted..	.....	.....
Whether separate emergency installa- tion fitted. ....	.....	.....
Minimum number of operators.....	.....	.....
Additional operators or watchers. ....	.....	.....
Whether direction-finding apparatus fitted.....	.....	.....

This certificate is issued under the authority of the \_\_\_\_\_ Government.  
It will remain in force until \_\_\_\_\_  
Issued at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_  
*Here follows the seal or signature of the authority entitled to issue this certificate.*  
(Seal.)

*If signed, the following paragraph is to be added:—*  
The undersigned declares that he is duly authorised by the said Government  
to issue this certificate.  
(Signature.)

*Modèle de Certificat de Sécurité radiotélégraphique.***CERTIFICAT DE SÉCURITÉ RADIOTÉLÉGRAPHIQUE.***(Cachet officiel.)**(Nationalité.)*

Délivré en vertu des dispositions de la

**CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA  
VIE HUMAINE EN MER, 1929.**

Nom du Navire.	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement

*(Nom) certifie*

Je, soussigné,

*(Nom) certifie*

I. Que le navire susvisé satisfait aux prescriptions de la Convention internationale précitée en ce qui concerne la Radiotélégraphie:—

—	Prescriptions des Articles ..... de ladite Convention.	Dispositions réalisées à bord.
Heures de veille.....		
Y a-t-il un appareil auto-alarme approuvé?.....		
Y a-t-il une installation de secours indépendante?.....		
Nombre minimum d'opérateurs.....		
Opérateurs supplémentaires ou écou- teurs.....		
Y a-t-il un radiogoniomètre?.....		

Ce certificat est délivré au nom du Gouvernement ..... Il est  
valable jusqu'au

Délivré à le 19

*(Placer ici le cachet ou la signature de l'autorité chargée de délivrer ce certificat.)**(Cachet.)**Si le document est signé, le paragraphe suivant est ajouté:*

Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à  
délivrer ce certificat.

*(Signature.)*

Exemption certifi-  
cate.

*Form of Exemption Certificate.*

**EXEMPTION CERTIFICATE.**

Form. (Official Seal.) (Country.)

Issued under the provisions of the  
INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1929.

Name of Ship.	Distinctive Number or Letters.	Port of Registry.	Gross Tonnage.

The (Name) Government certify  
I, the undersigned, (Name) certify

That the above-mentioned ship is under the authority conferred by Article  
. . . . of the International Convention referred to above exempted from the  
requirements of† . . . . . of the Convention  
on the voyages . . . . .  
to . . . . .

\* Insert here } \*  
the conditions,  
if any, on which  
the exemption  
certificate is  
granted.

This certificate is issued under the authority of the Government.  
It will remain in force until  
Issued at the day of  
Here follows the seal or signature of the authority entitled to issue this certificate.  
(Seal.)

If signed, the following paragraph is to be added:—  
The undersigned declares that he is duly authorised by the said Government to  
issue this certificate.

(Signature.)  
† Insert here references to Articles and Regulations, specifying particular paragraphs. [Footnote in the original.]



*Modèle de Certificat de Dispense.***CERTIFICAT DE DISPENSE.***(Cachet officiel.)**(Nationalité.)*

Délivré en vertu des dispositions prévues par la

**CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA  
VIE HUMAINE EN MER, 1929.**

Nom du Navire.	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement(Nom) certifie

Je, soussigné,

(Nom) certifie

Que le navire susvisé est dispensé, en vertu de l'article . . . . . de la  
Convention internationale précitée, des prescriptions de† . . . . . de la  
Convention pour les voyages de . . . . . à . . . . .

\* Insérer ici } \*  
les conditions,  
s'il en existe,  
sous lesquelles  
le certificat de  
dispense est  
accordé.

Ce certificat est délivré au nom du Gouvernement . . . . . Il est  
valable jusqu'au

Délivré à , le 19

(Placer ici le cachet ou la signature de l'autorité chargée de délivrer ce certificat.)

*(Cachet.)*

*Si ce document est signé, le paragraphe suivant est ajouté:*

Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à  
délivrer ce certificat.

*(Signature.)*

† Insérer ici la référence aux Articles et aux Règles en spécifiant les paragraphes. [Footnotes in the original.]

Annex II.

## ANNEX II.

International Regulations for Preventing Collisions at Sea.

## INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

## PRELIMINARY.

Preliminary.

These Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel propelled by machinery.

*The term "under steam" shall mean under any mechanical power.*

A vessel is "under way" within the meaning of these Rules when she is not at anchor or made fast to the shore or aground.

*The length of a vessel shall be deemed to be the length appearing in her certificate of registry.*

Rules concerning lights, etc.

## RULES CONCERNING LIGHTS, &amp;c.

The word "visible" in these Rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

## ARTICLE 1.

The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights *or impair their visibility* shall be exhibited.

## ARTICLE 2.

A steam vessel when under way shall carry:—

(a.) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz.,

## ANNEXE II.

RÈGLEMENT INTERNATIONAL POUR PRÉVENIR LES  
ABORDAGES EN MER.

## PRÉLIMINAIRES.

Le présent Règlement devra être suivi par tous les navires dans les hautes mers et dans toutes les eaux attenantes accessibles aux bâtiments de mer.

Dans les Règles ci-après, tout navire à vapeur qui marche à la voile et non à la vapeur doit être considéré comme un navire à voiles, et tout navire qui marche à la vapeur, qu'il porte ou non des voiles, doit être considéré comme un navire à vapeur.

L'expression "navire à vapeur" doit comprendre tout navire mû par une machine.

*L'expression "marchant à la vapeur" doit signifier marchant par un moyen mécanique quelconque.*

Un navire "fait route" ou "est en marche," dans le sens de ces Règles, lorsqu'il n'est ni à l'ancre, ni amarré à terre, ni échoué.

*La longueur d'un navire est celle qui est donnée par son certificat d'inscription ou d'immatriculation.*

## RÈGLES CONCERNANT LES FEUX, &amp;c.

Le mot "visible," dans ces Règles, lorsqu'il s'applique à des feux, veut dire visible par une nuit noire, avec une atmosphère pure.

ARTICLE 1<sup>er</sup>.

Les Règles concernant les feux doivent être observées par tous les temps, du coucher au lever du soleil, et pendant cet intervalle, on ne doit montrer aucun autre feu pouvant être pris pour un des feux prescrits ou contrariant la visibilité de ces derniers.

## ARTICLE 2.

Un navire à vapeur faisant route doit porter:

(a.) Au mât de misaine ou en avant de ce mât, ou bien, si le navire n'a pas de mât de misaine, sur la partie avant du navire, à une hauteur au-dessus du plat-bord qui ne soit pas inférieure à 6 m. 10; et, si la largeur du navire dépasse 6 m. 10, à une hauteur au-dessus du plat-bord au moins égale à cette largeur, sans qu'il soit néanmoins nécessaire que cette hauteur au-dessus du plat-bord dépasse 12 m. 10; un feu blanc brillant, disposé de manière à montrer une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 20 quarts ou

from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(b.) *Either forward or aft of the white light mentioned in sub-division (a) a second white light similar in construction and character to that light.*

*Vessels of less than 150 feet in length shall not be required to carry this second white light, but may do so.*

(c.) *These two white lights shall be so placed in a line with the keel that one shall be at least 15 feet higher than the other and in such a position that the lower light shall be forward of the upper one, and higher than the lights mentioned in Article 2 (d) and (e). The vertical distance between the two white lights shall be less than the horizontal distance. The lower of these two white lights, or if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet.*

(b.) (d.) *On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.*

(e.) (e.) *On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.*

(d.) (f.) *The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.*

(e.) *A steam vessel when under way may carry an additional white light similar in construction to the light mentioned in sub-division (a). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.*

*In naval vessels of special construction in which it is not possible to comply fully with the provisions of this Article as to the position of lights or their range of visibility, those provisions shall be followed as closely as circumstances will permit.*

rumbs du compas, soit 10 quarts ou rumbs de chaque côté du navire, c'est-à-dire depuis l'avant jusqu'à 2 quarts sur l'arrière du travers de chaque bord. Ce feu doit être visible d'une distance d'au moins 5 milles.

(b.) *Soit à l'avant, soit à l'arrière du feu blanc prévu au paragraphe (a), un deuxième feu blanc de construction et de caractère semblables.*

*Le deuxième feu blanc n'est pas obligatoire pour les navires d'une longueur inférieure à 45m. 75, mais ils peuvent le porter.*

(c.) *Ces deux feux blancs devront être placés dans le plan longitudinal ou parallèlement à ce plan, de manière que l'un d'eux soit plus élevé que l'autre d'au moins 4m. 57 et dans une position telle que le feu inférieur se trouve sur l'avant du feu supérieur et au-dessus des feux prévus aux paragraphes (d) et (e) du présent Article. La distance verticale entre ces deux feux devra être moindre que leur distance horizontale. Le feu blanc prévu au paragraphe (a), lorsqu'il n'y a qu'un seul feu, ou le feu inférieur lorsque le navire porte deux feux, devra se trouver à une hauteur au-dessus du plat-bord qui ne sera pas inférieure à 6m. 10 et, si la largeur dépasse 6m. 10, à une hauteur au-dessus du plat-bord au moins égale à cette largeur, sans qu'il soit néanmoins nécessaire que cette hauteur dépasse 12m. 19.*

(b.) (d.) A tribord, un feu vert établi de manière à projeter une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 10 quarts ou rumbs de compas, c'est-à-dire depuis l'avant jusqu'à deux quarts sur l'arrière du travers à tribord. Ce feu doit être visible d'une distance d'au moins 2 milles.

(e.) (e.) A bâbord, un feu rouge établi de manière à projeter une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 10 quarts ou rumbs de compas, c'est-à-dire depuis l'avant jusqu'à 2 quarts sur l'arrière du travers à bâbord. Ce feu doit être visible d'une distance d'au moins 2 milles.

(d.) (f.) Lesdits feux de côté vert et rouge doivent être munis, du côté du bâtiment, d'écrans s'avancant au moins de 0m. 91 en avant du feu, de telle sorte que leur lumière ne puisse pas être aperçue de tribord devant pour le feu rouge et de bâbord devant pour le feu vert.

(e.) *Un navire à vapeur faisant route peut porter un feu blanc additionnel de même construction que le feu mentionné au paragraphe (a). Ces deux feux devront être placés dans le plan longitudinal, de manière que l'un soit plus élevé que l'autre d'au moins 4m. 57, et dans une position telle, l'un par rapport à l'autre, que le feu inférieur soit sur l'avant du feu supérieur. La distance verticale entre ces feux devra être moindre que leur distance horizontale.*

*Sur les navires de guerre d'une construction spéciale, à bord desquels il n'est pas possible de se conformer exactement à toutes les prescriptions du présent Article en ce qui concerne l'emplacement des feux ou la distance à laquelle ils doivent être visibles, on appliquera les présentes Règles aussi exactement qu'il sera possible de le faire.*

## ARTICLE 3.

A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and *one of them* shall be carried in the same position as the white light mentioned in Article 2 (a), ~~except the additional light which may and the lowest light shall~~ be carried at a height of not less than 14 feet above the hull.

~~Such steam vessel~~ *The vessel towing and the vessels towed, except the last vessel of the tow, may carry in lieu of the light required in Article 10,* a small white light abaft the funnel or aftermast, for the ~~vessel towed~~ tow to steer by, but such light shall not be visible forward of the beam.

## ARTICLE 4.

(a.) A vessel which ~~from any accident~~ is not under command shall carry ~~at the same height as the white light mentioned in Article 2 (a);~~ where they can best be seen, and, if a steam vessel, in lieu of ~~that light the lights required in Article 2 (a) and (b),~~ two red lights, in a vertical line one over the other, not less than 6 feet apart, *so placed that the lower light shall not be less than 14 feet above the hull,* and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line, one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each 2 feet in diameter.

(b.) A vessel employed in laying or in picking up a ~~telegraph submarine~~ cable shall carry ~~in the same position as the white light mentioned in Article 2 (a);~~ and if a steam vessel, in lieu of ~~that light the lights required in Article 2 (a) and (b),~~ three lights in a vertical line, one over the other, not less than 6 feet apart, *so placed that the lowest of these lights shall be not less than 14 feet above the hull.* The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

## ARTICLE 3.

Tout navire à vapeur remorquant un autre navire doit porter, outre ses feux de côté, deux feux blancs brillants placés verticalement à 1m. 83 au moins l'un de l'autre et, lorsqu'il remorque plus d'un navire, il doit porter un feu blanc brillant additionnel à 1m. 83 au-dessus ou au-dessous des deux feux précédents, si la longueur de la remorque, mesurée entre l'arrière du remorqueur et l'arrière du dernier navire remorqué, dépasse 183m.

Chacun de ces feux doit être de même construction et de même caractère que le feu blanc mentionné à l'Article 2 (a), *à l'exception du feu additionnel qui peut être l'un d'eux sera placé dans la même position que ce dernier feu et le feu inférieur devra se trouver à une hauteur d'au moins 4m. 57 au-dessus du plat-bord.*

*Le remorqueur peut Le navire remorquant et les navires remorqués, à l'exception du dernier, peuvent porter, au lieu du feu prévu à l'Article 10, en arrière de la cheminée ou du mât de l'arrière, un petit feu blanc sur lequel gouvernent les bâtiments remorqués, mais ce feu ne doit pas être visible sur l'avant du travers du remorqueur.*

## ARTICLE 4.

(a.) Un navire qui, ~~pour une cause accidentelle~~ n'est pas maître de sa manœuvre, doit pendant la nuit porter ~~à la même hauteur que le feu blanc mentionné à l'article 2 (a);~~ à l'endroit où ils seront le plus apparents, et, si ce navire est à vapeur, *au lieu des feux prescrits à l'Article 2, (a) et (b),* deux feux rouges disposés verticalement à une distance l'un de l'autre d'au moins 1m. 83 *et placés de telle sorte que le feu inférieur ne se trouve pas à moins de 4m. 57 au-dessus du plat-bord.* Ils devront être d'une intensité suffisante pour être visibles d'une distance d'au moins 2 milles; pendant le jour, ce même navire devra porter, sur une ligne verticale et à 1m. 83 au moins de distance l'un de l'autre, dans l'endroit où ils seront le plus apparents, deux ballons ou marques noirs de 0m. 61 de diamètre chacun.

(b.) Un navire employé à poser ou à relever un câble ~~télégraphique sous-marin~~ doit porter, ~~dans la même position que le feu blanc mentionné à l'article 2 (a) et;~~ si c'est un navire à vapeur ~~à la place assignée à ce feu,~~ *au lieu des feux prescrits à l'Article 2 (a) et (b),* trois feux placés sur une ligne verticale à 1m. 83 au moins l'un de l'autre, *de telle sorte que le plus bas de ces trois feux ne soit pas situé à moins de 4m. 57 au-dessus du plat-bord.* Le feu supérieur et le feu inférieur seront rouges, le feu du milieu blanc. Ils auront une intensité suffisante pour être visibles sur tout l'horizon d'une distance d'au moins 2 milles. De jour, il devra porter, sur une même ligne verticale, à 1m. 83 au moins l'une de l'autre, et placées dans l'endroit le plus apparent, trois marques de 0m. 61 au moins de diamètre chacune, dont la plus haute et la plus basse seront de forme sphérique et de couleur rouge, celle du milieu de forme biconique et de couleur blanche.

(c.) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(d.) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

#### ARTICLE 5.

A sailing vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

#### ARTICLE 6.

Whenever, as in the case of small vessels under way during bad weather, the green and red side lights cannot be fixed, these lights shall be kept at hand lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

#### ARTICLE 7.

Steam vessels of less than 40, and vessels under oars or sails of less than 20, tons gross tonnage, respectively, and rowing boats, when under way, shall not be ~~obliged~~ *required* to carry the lights mentioned in Article 2 (a), (b) ~~and~~ (e); but if they do not carry them they shall be provided with the following lights:—

1. Steam vessels of less than 40 tons shall carry:

(a.) In the fore part of the vessel, ~~or~~ on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (a), and of such a character as to be visible at a distance of at least 2 3 miles.

(b.) Green and red side-lights constructed and fixed as prescribed in Article 2 (b) ~~and~~ (e); (d) and (e), and of such a character as to be



(c.) Les navires dont il est question dans le présent Article ne porteront pas de feux de côté quand ils n'ont aucun sillage, mais ils devront en avoir s'ils ont de l'erre.

(d.) Les feux et les marques de jour prescrits par le présent Article doivent être regardés par les autres navires comme des signaux indiquant que le bâtiment qui les montre n'est pas maître de sa manœuvre et ne peut, par conséquent, s'écarter de la route.

Ces signaux ne sont pas des signaux de navire en détresse et demandant assistance. Ces derniers signaux sont spécifiés à l'Article 31.

#### ARTICLE 5.

Tout navire à voile qui fait route et tout navire remorqué doivent porter les feux prescrits à l'Article 2 pour un navire à vapeur faisant route à l'exception des feux blancs mentionnés dans ledit Article, qu'ils ne doivent jamais porter.

#### ARTICLE 6.

Toutes les fois que les feux de côté, vert et rouge, ne peuvent être fixés à leur poste, comme cela a lieu à bord des petits bâtiments faisant route par mauvais temps, ces feux doivent être tenus sous la main, allumés et prêts à être montrés; si l'on s'approche d'un autre bâtiment ou si l'on en voit un qui s'approche, on doit montrer ces feux à leur bord respectif suffisamment à temps pour prévenir la collision, de telle sorte qu'ils soient bien apparents et que le feu vert ne puisse pas être aperçu de bâbord, ni le feu rouge de tribord, et, s'il est possible, de telle sorte qu'ils ne puissent être vus au delà de 2 quarts sur l'arrière du travers de leur bord respectif.

Afin de rendre plus facile et plus sûr l'emploi de ces feux portatifs, les fanaux doivent être peints extérieurement de la couleur du feu qu'ils contiennent respectivement et doivent être munis d'écrans convenables.

#### ARTICLE 7.

Les navires à vapeur de moins de 40 tonneaux de jauge brute et les navires marchant à l'aviron ou à la voile de moins de 20 tonneaux de jauge brute, ainsi, que les embarcations à l'aviron, lorsqu'ils font route, ne sont pas astreints à porter les feux mentionnés à l'Article 2 (a), (b) et (c); mais, s'ils ne les portent pas, ils doivent être pourvus des feux suivants:

1. Les navires à vapeur de moins de 40 tonneaux doivent porter:

(a.) Sur la partie avant du navire, soit sur la cheminée, soit en avant de celle-ci, à l'endroit où il sera le plus apparent et à 2m. 75 au moins au-dessus du plat-bord, un feu blanc brillant construit et fixé comme il est prescrit à l'Article 2 (a) et d'une intensité suffisante pour être visible d'une distance d'au moins 2 3 milles.

(b.) Des feux de côté, vert et rouge, construits et fixés comme il est prescrit à l'Article 2 (b) et (c) (d) et (e), et d'une intensité suffisante

visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steamboats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the *side-lights* or the combined lantern, mentioned in sub-division 1 (b).

3. Vessels under oars or sails, of less than 20 tons, shall ~~have ready at hand if they do not carry the side-lights, carry, where it can best be seen, a lantern with showing a green glass light on one side and a red glass light on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, of such a character as to be visible at a distance of at least 1 mile so that the green light shall not be seen on the port side nor the red light on the star-board side; provided that, where it is not possible to fix this light, it shall be kept lighted and ready for use, and shall be exhibited in sufficient time to prevent collision.~~

4. *Small rowing boats, whether under oars or sail, shall only be required to have ready at hand a lighted lantern showing a white light, which shall be temporarily exhibited in sufficient time to prevent collision.*

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (a), and Article 11, last paragraph.

#### ARTICLE 8.

*Sailing pilot-vessels, when engaged on their station on pilotage duty, and not at anchor, shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, at a distance of at least 3 miles, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen ten minutes.*

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A *sailing* pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the ~~coloured~~ *side-lights* above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

pour être visibles d'une distance d'au moins 1 mille, ou un fanal combiné pour montrer un feu vert et un feu rouge depuis l'avant jusqu'à 2 quarts sur l'arrière du travers de leur bord respectif. Ce fanal ne doit pas être placé à moins de 0m. 91 au-dessus du feu blanc.

2. Les petits navires à vapeur, tels que les embarcations que portent les bâtiments de mer, peuvent placer le feu blanc à moins de 2m. 74 au-dessus du plat-bord, mais ce feu doit être au-dessus *des feux de côté ou* du fanal combiné mentionné au paragraphe 1 (b).

3. Les petits navires à l'aviron ou à la voile, de moins de 20 tonneaux, s'il ne portent pas les feux de côté doivent ~~avoir prêt sur la main porter, à l'endroit où il sera le plus apparent,~~ un fanal ~~muni d'une~~ glace verte d'un côté et d'une glace rouge de l'autre côté, et s'ils s'approchent d'un autre navire ou s'ils en voient un s'approcher, ils doivent montrer ce fanal assez à temps pour prévenir une collision montrant un feu vert d'un côté et un feu rouge de l'autre côté d'une intensité suffisante pour être visibles d'une distance d'au moins 1 mille et de telle sorte que le feu vert ne puisse être aperçu de bâbord ni le feu rouge de tribord. *Toutefois, s'il n'est pas possible de fixer ce fanal il devra être maintenu allumé, tenu prêt, sous la main, et montré assez à temps pour prévenir une collision.*

4. Les petites embarcations à rames, lorsqu'elles marchent à l'aviron ou à la voile, doivent *ne sont soumises qu'à l'obligation d'avoir,* prêt, sous la main, un fanal blanc, qui sera montré temporairement assez à temps pour prévenir une collision.

Les navires dont il est question dans cet Article ne sont pas obligés de porter les feux prescrits par l'Article 4 (a) et par l'Article 11, dernier paragraphe.

#### ARTICLE 8.

Les bateaux-pilotes à voiles, quand ils sont à leurs stations en service de pilotage *et lorsqu'ils ne sont pas mouillés,* ne doivent pas montrer les feux exigés des autres navires; ils doivent porter en tête de mât un feu blanc visible tout autour de l'horizon, *à une distance de 3 milles au moins,* et montrer aussi un ou plusieurs feux provisoires d'une nature quelconque (flare-up light) à de courts intervalles, ne dépassant jamais 15 10 minutes.

S'ils s'approchent d'un autre navire ou s'ils en voient un s'approcher, ils doivent avoir leurs feux de côté allumés, prêts à servir et les démasquer et remasquer à de courts intervalles, pour indiquer la direction de leur cap; mais le feu vert ne doit pas paraître du côté de bâbord, ni le feu rouge du côté de tribord.

Un bateau-pilote à voile, de la catégorie de ceux qui sont obligés d'accoster un navire pour mettre un pilote à bord, peut montrer le feu blanc au lieu de le porter en tête de mât et peut, au lieu des feux de ~~couleurs~~ côté susmentionnés, avoir sous la main, prêt à servir, un fanal muni d'une glace verte d'un côté, et d'une glace rouge de l'autre côté, pour l'employer comme il est dit plus haut.

A steam pilot-vessel exclusively employed for the service of pilots licensed or certified by any pilotage authority or the Committee of any pilotage district, when engaged on her station on pilotage duty and not at anchor, shall, in addition to the lights *and flares* required for all pilot-boats sailing pilot-vessels, carry at a distance of eight feet below her white mast head light, a red light, visible all round the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least ~~two~~ three miles, and also the coloured side-lights required to be carried by vessels when under way.

*All pilot-vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed above, except that the side-lights shall not be shown.*

*When not engaged on their stations on pilotage duty, they shall carry the same lights as other vessels of their class and tonnage.*

When engaged on her station on pilotage duty and at anchor she shall carry, in addition to the lights required for all pilot boats, the red light above mentioned, but not the coloured side lights.

Pilot vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.

#### ARTICLE 9.\*†

Fishing-vessels and fishing-boats, when under way and when not required by this Article to carry or show the lights hereinafter specified, shall carry or show the lights prescribed for vessels of their tonnage under way.

(a.) Open boats, by which it is to be understood boats not protected from the entry of sea water by means of a continuous deck, when engaged in any fishing at night with outlying tackle extending not more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light.

Open boats, when fishing at night, with outlying tackle extending more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light, and, in addition, on approaching or being approached by other vessels, shall show a second white light at least 3 feet below the first light and at a horizontal distance of at least 5 feet away from it in the direction in which the outlying tackle is attached.

*The lights mentioned in this sub-division shall be of such a character as to be visible at a distance of at least 2 miles.*

\* This article does not apply to Chinese or Siamese vessels. [Footnote in the original.]

† The expression "Mediterranean Sea" contained in sub-sections (b) and (c) of this Article includes the Black Sea and the other adjacent inland seas in communication with it. [Footnote in the original.]

Un bateau-pilote à vapeur exclusivement employé au service des pilotes patentés ou autorisés par toute autorité de pilotage ou comité d'un district de pilotage, doit, lorsqu'il est à sa station en service de pilotage, mais non au mouillage, porter, en plus des feux et des "flare-up lights" exigés pour tous les bateaux-pilotes à voiles, à 2m. 40 au-dessous du feu blanc de tête de mât, un feu rouge visible tout autour de l'horizon d'une distance d'au moins 2 3 milles par nuit noire mais atmosphère claire; il doit aussi porter les feux de côté exigés pour les navires en marche.

*Tous les bateaux-pilotes en service à leurs stations de pilotage et lorsqu'ils sont mouillés doivent porter les feux et montrer les "flare-up lights" ci-dessus prescrits à l'exception des feux de côté qu'ils ne doivent pas montrer.*

*Les bateaux-pilotes, lorsqu'ils ne sont pas à leurs stations en service de pilotage doivent porter des feux semblables à ceux des autres navires de leur catégorie et de leur tonnage.*

Lorsqu'il est à sa station en service de pilotage, mais au mouillage il doit porter en plus des feux exigés pour tous les bateaux-pilotes, le feu rouge mentionné ci-dessus, mais non les feux de couleur de côté.

Les bateaux-pilotes, lorsqu'ils ne sont pas à leur station en service de pilotage, doivent porter des feux semblables à ceux des autres navires de leur tonnage.

#### ARTICLE 9.\*†

Les bateaux et embarcations de pêche sauf dans les cas visés ci-dessus sont tenus de porter ou de montrer lorsqu'ils sont en marche les feux réglementaires pour les navires de leur tonnage en marche.

(a.) Les bateaux découverts (c'est-à-dire ceux qu'un pont continu ne protège pas de la mer) qui, pendant la durée de la pêche de nuit, portent un appareil immergé ne s'étendant pas à plus de 45m. 72, distance horizontale comptée à partir du bateau sont tenus de porter un feu blanc visible sur tout l'horizon.

Les bateaux découverts, lorsqu'ils pêchent de nuit, avec un appareil immergé qui déborde et s'étend à plus de 45m. 72, comptés à partir du bateau et horizontalement, doivent porter un feu blanc visible sur tout l'horizon et, de plus, lorsqu'ils s'approchent d'un bâtiment ou lorsqu'ils sont rejoints par un navire, doivent montrer un deuxième feu blanc à au moins 0m. 91 au-dessous du premier feu et à une distance horizontale d'au moins 1m. 50 en dehors de ce feu et dans la direction où l'appareil qui déborde est amarré à bord.

*Les feux indiqués au présent paragraphe doivent avoir une intensité suffisante pour être visibles d'une distance de 2 milles au moins.*

\* Cet article ne s'applique pas aux navires chinois ou siamois. [Footnote in the original.]

† L'expression "mer Méditerranée" employée dans les paragraphes (b) et (c) de cet article comprend la mer Noire et les mers intérieures adjacentes communiquant avec elle. [Footnote in the original.]

‡(b.) Vessels and boats, except open boats as defined in sub-division (a), when fishing with drift-nets, shall, so long as the nets are wholly or partly in the water, carry two white lights where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 15 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be in the direction of the nets, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea,§ sailing fishing-vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the net or gear) a white light visible at a distance of not less than one sea mile on the approach of or to other vessels.

(c.) Vessels and boats, except open boats as defined in sub-division (a), when line-fishing with their lines out and attached to or hauling their lines, and when not at anchor or stationary within the meaning of sub-division (b), shall carry the same lights as vessels fishing with drift-nets. When shooting lines, or fishing with towing lines, they shall carry the lights prescribed for a steam or sailing vessel under way respectively.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea,§ sailing fishing vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the lines) a white light, visible at a distance of not less than one sea mile on the approach of or to other vessels.

(d.) Vessels, when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam vessels, shall carry in the same position as the white light mentioned in Article 2 (a), a tri-coloured lantern so constructed and fixed as to show a white light from right ahead to two points on each bow, and a green light and a red light over an arc of the horizon from two points on each bow to two points abaft the beam on the starboard and port sides respectively; and not less than 6 nor more than 12 feet below the tri-coloured lantern a white light in a lantern, so constructed as to show a clear, uniform and unbroken light all round the horizon.

2. If sailing vessels, shall carry a white light in a lantern, so constructed as to show a clear, uniform and unbroken light all round the horizon, and shall also, on the approach of or to other vessels, show where it can best be seen a white flare-up light or torch in sufficient time to prevent collision.

‡ Dutch vessels and boats when engaged in the "kol," or hand-line, fishing will carry the lights prescribed for vessels fishing with drift-nets. [Footnote in the original.]

§ Also, as regards Russian vessels, in the seas (excluding the Baltic) bordering the coasts of Russia. [Footnote in the original.]

\*(b.) Les bateaux et embarcations, à l'exception des bateaux découverts définis dans le paragraphe (a), lorsqu'ils pêchent avec des filets dérivants, doivent, tant que les filets sont dans l'eau totalement ou en partie, porter deux feux blancs aux endroits où ils peuvent être le plus visibles. Ces feux doivent être placés à une distance verticale l'un de l'autre de 1m. 80 au moins, et de 4m. 50 au plus et à une distance horizontale, dans le sens de la longueur du bateau, de 1m. 50 au moins et de 3 mètres au plus. Le feu inférieur devra être dans la direction des filets et l'ensemble des deux feux devra être visible sur tout l'horizon d'une distance d'au moins 3 milles.

Dans la Méditerranée et dans les mers bordant les côtes du Japon et de la Corée,† les voiliers de pêche de moins de 20 tonneaux de jauge brute ne seront pas tenus de porter le dernier des feux ci-dessus (feu inférieur); mais s'ils ne le portent pas, ils seront tenus de montrer dans la même position (dans la direction du filet ou de l'appareil) un feu blanc visible d'au moins 1 mille à l'approche d'un autre bâtiment.

(c.) Les bateaux et embarcations, à l'exception des bateaux découverts tels qu'ils sont définis dans le paragraphe (a), lorsqu'ils pêchent à la ligne avec leurs lignes dehors et amarrées, ou lorsqu'ils halent leurs lignes et lorsqu'ils ne sont pas au mouillage ou stationnaires (voir paragraphe (h)), doivent porter les mêmes feux que les bateaux qui pêchent avec des filets dérivants. Lorsqu'ils élongent leurs lignes ou s'ils pêchent avec des lignes traînantes, ils sont tenus de porter les feux prescrits, suivant le cas, pour les vapeurs ou les voiliers en marche.

Dans la Méditerranée et dans les mers bordant les côtes du Japon et de la Corée,† les voiliers de moins de 20 tonneaux de jauge brute ne sont pas tenus de porter le dernier des feux ci-dessus (feu inférieur), mais s'ils ne le portent pas, ils doivent montrer dans la même position (dans la direction des lignes) un feu blanc visible d'au moins 1 mille, à l'approche d'un autre navire.

(d.) Les bateaux occupés à chaluter, c'est-à-dire à draguer le fond avec un appareil, doivent:

1. S'ils sont à vapeur, porter, dans la même position que le feu blanc mentionné dans l'Article 2(a), un fanal tricolore disposé de manière à montrer un feu blanc depuis l'avant jusqu'à deux quarts de chaque bord, et un feu vert par tribord ainsi qu'un feu rouge par bâbord, visibles l'un et l'autre à partir de deux quarts de l'avant jusqu'à deux quarts sur l'arrière du travers. Ils doivent porter de plus, à 1m. 80 au moins et à 3m. 60 au plus, au-dessous du fanal tricolore, un feu blanc, montrant une lumière claire, uniforme et ininterrompue sur tout l'horizon.

2. S'ils sont à voiles, porter un fanal disposé de manière à montrer une lumière blanche, claire, uniforme et ininterrompue sur tout l'horizon. Ils doivent aussi, à l'approche d'un autre bâtiment, montrer dans l'endroit où elle sera le mieux visible une flamme ("flare-up light"), ou une torche, assez à temps pour éviter un abordage.

\* Les navires et embarcations des Pays-Bas pêchant à la ligne à main ("Kol") montreront les feux prescrits pour les navires pêchant avec les filets dérivants. [Footnote in the original.]

† De même en ce qui concerne les navires russes dans les mers baignant les côtes russes à l'exception de la Baltique. [Footnote in the original.]

All lights mentioned in sub-division (d), 1 and 2, shall be visible at a distance of at least 2 miles.

(e.) Oyster dredgers and other vessels fishing with dredge-nets shall carry and show the same lights as trawlers.

(f.) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show, and they may also use working lights.

(g.) Every fishing-vessel and every fishing-boat under 150 feet in length, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least ~~one~~ 2 miles.

Every fishing-vessel of 150 feet in length or upwards, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least ~~one~~ 2 miles and shall exhibit a second light as provided for vessels of such length by Article 11.

Should any such vessel, whether under 150 feet in length, or of 150 feet in length or upwards, be attached to a net or other fishing gear, she shall, on the approach of other vessels, show an additional white light at least 3 feet below the anchor light, and at a horizontal distance of at least 5 feet away from it in the direction of the net or gear.

(h.) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall in day-time haul down the day-signal required by sub-division (k); at night show the light or lights prescribed for a vessel at anchor; and, during fog, mist, falling snow, or heavy rain-storms, make the signal prescribed for a vessel at anchor. (See sub-division (d), and the last paragraph of Article 15.)

(i.) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute, make a blast; if steam vessels, with the whistle or siren, and, if sailing vessels, with the fog-horn; each blast to be followed by ringing the bell. Fishing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals; but, if they do not, they shall make some other efficient sound signal at intervals of not more than one minute.

(k.) All vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation ~~to an approaching vessel~~ by displaying a basket ~~or other efficient signal~~ where it can best be seen. If vessels or boats at anchor have their gear out, they shall, on the approach of other vessels, show the same signal on the side on which those vessels can pass.



Tous les feux mentionnés dans le paragraphe (d), 1 et 2, doivent être visibles d'au moins 2 milles.

(e.) Les dragueurs d'huîtres et autres bateaux pêchant avec des filets de drague doivent porter et montrer les mêmes feux que les chalutiers.

(f.) Les bateaux et embarcations de pêche peuvent, en tout temps, montrer une flamme ("flare-up") en plus des feux que le présent Article les oblige à porter ou à montrer; ils peuvent aussi employer des feux de travail ("working lights").

(g.) Tout bateau de pêche et toute embarcation de pêche de moins de 45m. 72 de longueur doit porter, au mouillage, un feu blanc visible d'au moins  $\pm$  mille 2 milles sur tout l'horizon.

Tout bateau de pêche de 45m. 72 de longueur ou au-dessus doit montrer au mouillage, un feu blanc, visible d'au moins  $\pm$  mille 2 milles sur tout l'horizon, et montrer un second feu comme l'Article 11 le prévoit pour les bâtiments de cette longueur.

Si le bâtiment, qu'il ait moins de 45m. 72 de longueur ou de 45m. 72 de longueur et au-dessus, est attaché à un filet ou à tout autre engin de pêche, il doit à l'approche d'un autre bâtiment, montrer un feu blanc supplémentaire à 0m. 90 au moins au-dessous du feu de mouillage et à une distance horizontale d'au moins 1m. 50 en dehors de ce dernier feu, dans la direction du filet ou de l'engin de pêche.

(h.) Si un bateau ou une embarcation de pêche devient stationnaire, ses engins s'étant trouvés engagés par une roche ou un autre obstacle, il doit, le jour, hisser le signal prévu par le paragraphe (k); de nuit, il doit montrer le feu ou les feux prescrits pour un navire au mouillage, et en temps de brouillard, de brume, de neige ou par tempêtes de pluie, faire le signal de brume des bâtiments au mouillage. (Voir paragraphe (d) et l'Article 15, dernier paragraphe.)

(i.) Par brouillard, brume, neige ou tempêtes de pluie, les bateaux à filets dérivants attachés à leurs filets et les bateaux chalutant, draguant ou pêchant avec toute espèce de filets à draguer, les bâtiments pêchant à la ligne avec leurs lignes dehors, doivent, si leur tonnage brut est de 20 tonneaux ou au-dessus, faire entendre, à des intervalles de une minute au plus, un son de leur sifflet ou de leur sirène, si ce sont des vapeurs, et de leur cornet de brume si ce sont des voiliers; chaque son doit être suivi d'une sonnerie de cloche. Les bateaux de pêche et embarcations de moins de 20 tonneaux de jauge brute ne sont pas tenus de faire les signaux ci-dessus; mais s'ils ne les font pas, ils doivent faire entendre quelque autre signal sonore efficace, à des intervalles ne dépassant pas une minute.

(k.) Tous les bateaux ou embarcations de pêche en marche se servant de filets, de lignes ou de chaluts, doivent l'indiquer, de jour, à tous bâtiments qui approchent en hissant un panier ou un autre signal efficace à l'endroit où il peut être le plus visible. S'ils sont au mouillage avec leurs engins dehors, ils doivent, à l'approche d'un autre bâtiment, montrer ce même signal du côté où ce bâtiment peut passer.

The vessels required by this Article to carry or show the lights hereinbefore specified shall not be obliged to carry the lights prescribed by Article 4 (a) and the last paragraph of Article 11.

#### ARTICLE 10.

~~A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.~~

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be *A vessel when under way shall carry at her stern, a white light so constructed, fitted, and screened, that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, and of such a character so as to be visible at a distance of at least  $\pm$  mile 2 miles.* Such light shall be carried as nearly as practicable on the same level as the side lights.

*In small vessels, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, a light shall be kept at hand lighted and ready for use, and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.*

*For vessels engaged in towing, see Article 3, last paragraph.*

#### ARTICLE 11.

A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least  $\pm$  2 miles.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20, and not exceeding 40, feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

*Between sunrise and sunset all vessels when at anchor in or near a fairway shall carry, forward, where it can best be seen, one black ball, 2 feet in diameter. The length of a vessel shall be deemed to be the length appearing in her certificate of registry.*

A vessel aground in or near a fairway shall carry *by night* the above light or lights and the two red lights prescribed by Article 4 (a), and *by day, where they can best be seen, 3 black balls, each 2 feet in diameter, placed in a vertical line one over the other.*

Les bâtiments visés, par cet Article, ne sont pas obligés, de porter les feux prescrits par l'Article 4, paragraphe (a), et par le dernier paragraphe de l'Article 11.

#### ARTICLE 10.

Un navire qui est rattrapé par un autre doit montrer à celui-ci, de la partie arrière du navire, un feu blanc ou un feu provisoire d'une nature quelconque (flare up):

Le feu blanc mentionné dans cet article peut être fixé et placé dans un fanal, mais, dans ce cas, le fanal doit être. Un navire faisant route doit porter à son arrière un feu de poupe blanc construit, fixé et muni d'écrans de manière à projeter une lumière ininterrompue sur un arc d'horizon de 12 rums ou quarts du compas, soit 6 quarts de chaque bord à partir de l'arrière. Ce feu doit être visible d'au moins 2 milles et placé autant que possible à la même hauteur que les feux de côté.

A bord des petits bâtiments, lorsqu'il n'est pas possible, à cause du mauvais temps ou pour toute autre raison suffisante, de maintenir ce feu en place, on devra avoir sous la main et tout prêt un fanal allumé qui sera montré suffisamment à temps pour éviter un abordage à l'approche de tout navire qui le rattrape.

En ce qui concerne les navires remorquant et remorqués, se rapporter au dernier paragraphe de l'Article 3.

#### ARTICLE 11.

Un navire de moins de 45m. 72 de longueur, lorsqu'il est au mouillage, doit porter à l'avant, dans l'endroit où il peut être le plus apparent, mais à une hauteur n'excédant pas 6m. 10 au-dessus du plat-bord, un feu blanc dans un fanal disposé de manière à projeter tout autour de l'horizon une lumière claire, uniforme et non interrompue à une distance d'au moins  $\pm$  2 milles.

Un navire de 45m. 72 ou plus de longueur, lorsqu'il est au mouillage, doit porter à la partie avant, à une hauteur au-dessus du plat-bord de 6m. 10 au moins et de 12m. 19 au plus, un feu blanc semblable à celui mentionné au paragraphe précédent et, à l'arrière ou près de l'arrière, un second feu pareil qui doit être à une hauteur telle qu'il ne se trouve pas à moins de 4m. 57 plus bas que le feu de l'avant.

Entre le lever et le coucher du soleil, tous les bâtiments au mouillage dans un chenal ou près d'un chenal porteront à l'avant à l'endroit le plus apparent une boule noire de 0m. 61 de diamètre.

On prendra pour la longueur du navire celle qui est donnée par son certificat d'inscription ou d'immatriculation.

Tout navire échoué dans un chenal ou près d'un chenal doit porter, de nuit, le ou les feux mentionnés ci-dessus, ainsi que les deux feux rouges prescrits par l'Article 4 (a) et, de jour, à l'endroit le plus apparent, trois boules noires d'un diamètre de 0m. 61 chacune, placées l'une au-dessus de l'autre sur une même ligne verticale.

## ARTICLE 12.

Every vessel may, if necessary, in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use any detonating or other efficient sound signal that cannot be mistaken for a *prescribed* distress or fog signal.

## ARTICLE 13.

Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorised by their respective Governments and duly registered and published.

## ARTICLE 14.

A ~~steam~~ vessel proceeding under sail only, but having her funnel up, when also under steam or other mechanical power shall carry in the daytime, forward, where it can best be seen, one ~~black ball~~ black cone, point upwards, 2 feet in diameter at its base.

Sound signals for fog, etc.

## SOUND SIGNALS FOR FOG, &amp;c.

## ARTICLE 15.

Rules concerning.

All signals prescribed by this Article for vessels under way shall be given—

1. By “steam vessels” on the whistle or siren.
2. By “sailing vessels and vessels towed” on the fog horn.

The words “prolonged blast” used in this Article, shall mean a blast of from 4 to 6 seconds’ duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.\* A sailing vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

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\* In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels. [Footnote in the original.]

## ARTICLE 12.

Tout navire peut, s'il le juge nécessaire pour appeler l'attention, montrer, en plus des feux prescrits par les présentes règles, un feu provisoire d'une nature quelconque (*flare-up light*) ou faire usage de tout signal détonant *ou tout autre signal sonore efficace* ne pouvant être pris pour un des signaux prévus comme signal de détresse *ou de brume*.

## ARTICLE 13.

Les présentes Règles ne doivent en rien gêner la mise à exécution des prescriptions spéciales édictées par un Gouvernement quelconque, quant à un plus grand nombre de feux de position ou de signaux à mettre à bord des bâtiments de guerre au nombre de deux ou davantage, ainsi qu'à bord de bâtiments naviguant en convoi; non plus que l'emploi de signaux de reconnaissance adoptés par les armateurs avec autorisation de leurs Gouvernements respectifs et dûment enregistrés et publiés.

## ARTICLE 14.

Tout navire à ~~vapeur~~ faisant route à la voile ~~seulement mais ayant sa cheminée dressée et au même temps au moyen de la vapeur ou de toute autre propulsion mécanique~~ doit porter, de jour, à l'avant à l'endroit où il sera le plus apparent ~~un ballon noir ou une marque noire; un cône noir, de 0 m. 61 de diamètre à la base, la pointe en haut.~~

## SIGNAUX PHONIQUES PAR TEMPS DE BRUME, &amp;c.

## ARTICLE 15.

Tous les signaux prescrits par le présent Article pour les navires faisant route devront être produits:

1. A bord des "navires à vapeur" au moyen du sifflet ou de la sirène;
2. A bord des "navires à voiles" et des navires remorqués au moyen du cornet de brume.

Les mots "son prolongé" employés dans cet Article signifient un son de 4 à 6 secondes de durée.

Tout navire à vapeur doit être pourvu d'un sifflet ou d'une sirène d'une sonorité suffisante, actionné par la vapeur ou tout autre moteur pouvant la remplacer, et placé de telle sorte que le son ne puisse être arrêté par aucun obstacle; il doit aussi être pourvu d'un cornet de brume actionné mécaniquement ainsi que d'une cloche,\* l'un et l'autre suffisamment puissants. Tout navire à voiles d'un tonnage brut de 20 tonneaux et au-dessus doit avoir un cornet de brume et une cloche semblables.

\* Dans tous les cas où ce règlement prescrit l'emploi de la cloche, un tambour ou un gong peuvent la remplacer sur les navires turcs, ou sur les petits navires de mer qui utilisent ces instruments. [Footnote in the original.]

In fog, mist, falling snow or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(a.) A steam vessel having way upon her, shall sound, at intervals of not more than 2 minutes, a prolonged blast.

(b.) A steam vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than 2 minutes, 2 prolonged blasts, with an interval of about 1 second between them.

(c.) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack, 1 blast, when on the port tack, 2 blasts in succession, and when with the wind abaft the beam, 3 blasts in succession.

(d.) A vessel, when at anchor, shall, at intervals of not more than 1 minute, ring the bell rapidly for about 5 seconds.

*In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and, in addition, there shall be sounded in the after-part of the vessel, at intervals of not more than 1 minute, a gong or other instrument, the tone of which cannot be confused with the ringing of the bell.*

(e.) A vessel, when towing, a vessel employed in laying or in picking up a telegraph submarine cable, and a vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules shall, instead of the signals prescribed in subdivisions (a), (b) and (c) of this Article, at intervals of not more than 2 minutes, sound 3 blasts in succession, viz., 1 prolonged blast followed by 2 short blasts. ~~A vessel towed may give this signal and she shall not give any other.~~

*A vessel towed, or if more than one vessel is towed, the last vessel of the tow, shall, at intervals of not more than 2 minutes, sound 4 blasts in succession, viz., 1 prolonged blast followed by 3 short blasts, provided that this signal is not required when it is impossible to keep the vessel manned.*

*When practicable, the vessel towed shall make this signal immediately after the signal made by the towing vessel.*

(f.) *A vessel aground in or near a fairway shall give the signal prescribed in paragraph (d), and shall, in addition, give 3 separate and distinct strokes on the bell immediately preceding and following each such signal.*

Sailing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but, if they do not, they shall make some other efficient sound-signal at intervals of not more than 1 minute.†

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† Dutch steam pilot-vessels, when engaged on their station on pilotage duty in fog, mist, falling snow, or heavy rain-storms are required to make at intervals of 2 minutes at most one long blast with the siren, followed after 1 second by a long blast with the steam whistle and again after 1 second by a long blast on the siren. When not engaged on their station on pilotage duty, they make the same signals as other steamships. [Footnote in the original.]

Par temps de brume, de brouillard, de bruine, de neige ou pendant les forts grains de pluie, tant de jour que de nuit, les signaux décrits dans le présent Article seront employés comme il suit:

(a.) Tout navire à vapeur ayant de l'erre doit faire entendre un son prolongé à des intervalles de deux minutes au plus;

(b.) Tout navire à vapeur en route, mais stoppé et n'ayant pas d'erre, doit faire entendre, à des intervalles ne dépassant pas deux minutes, deux sons prolongés séparés par un intervalle d'une seconde environ.

(c.) Tout navire à voiles faisant route doit faire entendre à des intervalles n'excédant pas une minute, un son quand il est tribord amures, deux sons consécutifs quand il est bâbord amures et trois sons consécutifs quand il a le vent de l'arrière du travers.

(d.) Tout navire au mouillage doit sonner la cloche rapidement pendant 5 secondes environ à des intervalles n'excédant pas une minute.

*Sur les navires d'une longueur supérieure à 106m. 75, on devra sonner la cloche sur la partie avant du navire et de plus, sur la partie arrière, à des intervalles ne dépassant pas une minute, faire entendre un gong ou tout autre instrument dont le son ne peut être confondu avec celui de la cloche.*

(e.) Tout navire qui remorque, tout navire employé à poser ou à lever un câble télégraphique sous-marin, tout navire faisant route et ne pouvant se dérouter de la route d'un navire qui s'approche parce qu'il n'est pas maître de sa manœuvre et qui ne peut manœuvrer comme l'exige ce Règlement, devra, au lieu des signaux prescrits aux paragraphes (a), (b) et (c) du présent Article, faire entendre, à des intervalles ne dépassant pas deux minutes, trois sons consécutifs, savoir: un son prolongé suivi de deux sons brefs. ~~Un navire remorque peut faire ce signal, mais il n'en fera pas d'autre.~~

*Un navire remorqué, ou s'il en est remorqué plus d'un, le dernier navire du convoi devra, à des intervalles ne dépassant pas deux minutes, faire entendre quatre sons consécutifs, c'est-à-dire un son prolongé, suivi de trois sons brefs; ce signal n'est pas obligatoire dans le cas où il ne serait pas possible d'embarquer du personnel à bord du navire remorqué.*

*Quand il sera possible, le navire remorqué devra faire entendre ce signal immédiatement après le signal fait par le navire remorqueur.*

(f.) Tout navire échoué dans un chenal ou à proximité d'un chenal émettra le signal prescrit au paragraphe (d) et, de plus, devra faire entendre trois sons de cloche séparés et distincts immédiatement avant et après chaque signal.

Les navires à voiles et embarcations d'un tonnage brut de moins de 20 tonnes ne sont pas astreints à faire les signaux mentionnés ci-dessus; mais s'ils ne les font pas, ils doivent faire tout autre signal phonique d'une intensité suffisante à des intervalles ne dépassant pas une minute.\*

\* Les bateaux-pilotes à vapeur des Pays-Bas quand ils sont à leur station en service de pilotage, par temps de brume, de brouillard, de neige ou pendant les forts grains de pluie, sont astreints à intervalles de deux minutes au plus à faire entendre un son prolongé de la sirène suivi à une seconde d'intervalle par un son prolongé du sifflet à vapeur, suivi de nouveau à une seconde d'intervalle d'un son prolongé de la sirène. Quand ils ne sont pas à leur station en service de pilotage ils font entendre les mêmes signaux que les autres navires à vapeur. [Footnote in the original.]

Fog, etc.

## SPEED OF SHIPS TO BE MODERATE IN FOG, &amp;c.

## ARTICLE 16.

Speed limitations,  
etc.

Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and sailing  
rules.*Steering and Sailing Rules.**Preliminary—Risk of Collision.*

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

## ARTICLE 17.

When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz.:—

- (a.) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.
- (b.) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.
- (c.) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.
- (d.) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.
- (e.) A vessel which has the wind aft shall keep out of the way of the other vessel.

## ARTICLE 18.

When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.



## LA VITESSE DES NAVIRES DOIT ÊTRE MODÉRÉE PAR TEMPS DE BRUME, &c.

### ARTICLE 16.

Tout navire, par temps de brume, de brouillard, de bruine, de neige, ou pendant les forts grains de pluie, doit aller à une vitesse modérée, en tenant attentivement compte des circonstances et des conditions existantes.

Tout navire à vapeur, en entendant, dans une direction qui lui paraît être sur l'avant de son travers, le signal de brume d'un navire dont la position est incertaine, doit, autant que les circonstances du cas le comportent, stopper sa machine et ensuite naviguer avec précaution jusqu'à ce que le danger de collision soit passé.

### *Règles de Barres et de Route.*

#### *Préliminaires—Risque de Collision.*

Le risque de collision peut, quand les circonstances le permettent, être constaté par l'observation attentive du relèvement au compas d'un navire qui s'approche. Si ce relèvement ne change pas d'une façon appréciable, on doit en conclure que ce risque existe.

### ARTICLE 17.

Lorsque deux navires à voiles s'approchent l'un de l'autre, de manière à faire craindre une collision, l'un d'eux doit s'écarter de la route de l'autre comme il suit, savoir:

- (a.) Tout navire courant largue doit s'écarter de la route d'un navire qui est au plus près.
- (b.) Tout navire qui court au plus près bâbord armures doit s'écarter de la route d'un navire qui est au plus près tribord armures.
- (c.) Lorsque deux navires courent largue avec le vent de bords opposés, celui qui reçoit le vent de bâbord doit s'écarter de la route de l'autre.
- (d.) Lorsque deux navires courent largue avec le vent du même bord, celui qui est au vent doit s'écarter de la route de celui qui est sous le vent.
- (e.) Tout navire vent arrière doit s'écarter de la route d'un autre navire.

### ARTICLE 18.

Lorsque deux navires marchant à la vapeur font des routes directement opposées ou à peu près opposées, de manière à faire craindre une collision, chacun d'eux doit venir sur tribord de manière à passer par bâbord l'un de l'autre.

Cet article ne s'applique qu'aux cas où les navires ont le cap l'un sur l'autre ou presque l'un sur l'autre, en suivant des directions opposées, de telle sorte que la collision soit à craindre; il ne s'applique pas à deux navires qui, s'ils continuent leurs routes respectives, se croisent sûrement sans se toucher.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and, by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

#### ARTICLE 19.

When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

#### ARTICLE 20.

When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

#### ARTICLE 21.

Where by way of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

NOTE.—When, in consequence of thick weather or other causes, such vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision. (See Articles 27 and 29.)

*Post*, pp. 1302, 1303.

#### ARTICLE 22.

Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

#### ARTICLE 23.

Every steam vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

#### ARTICLE 24.

Notwithstanding anything contained in these Rules, every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Les seuls cas que vise cet article sont ceux dans lesquels chacun des deux bâtiments a le cap sur l'autre; en d'autres termes, les cas dans lesquels, pendant le jour, chaque bâtiment voit les mâts de l'autre navire l'un par l'autre ou à très peu près l'un par l'autre et tout à fait ou à très peu près dans le prolongement de son cap; et, pendant la nuit, le cas où chaque bâtiment est placé de manière à voir à la fois les deux feux de côté de l'autre.

Il ne s'applique pas au cas où, pendant le jour, un bâtiment en aperçoit un autre droit devant lui et coupant sa route, ni au cas où, pendant la nuit, chaque bâtiment présentant son feu rouge voit le feu de même couleur de l'autre, où chaque bâtiment présentant son feu vert voit le feu de même couleur de l'autre; ni aux cas où un bâtiment aperçoit droit devant lui un feu rouge sans voir de feu vert, ou aperçoit droit devant lui un feu vert sans voir de feu rouge; enfin, ni au cas où un bâtiment aperçoit à la fois un feu vert et un feu rouge dans toute autre direction que droit devant ou à peu près.

#### ARTICLE 19.

Lorsque deux navires marchant à la vapeur font des routes qui se croisent, de manière à faire craindre une collision, le bâtiment qui voit l'autre par tribord doit s'écarter de la route de cet autre navire.

#### ARTICLE 20.

Lorsque deux navires, l'un à vapeur, l'autre à voiles, courent de manière à risquer de se rencontrer, le navire sous vapeur doit s'écarter de la route de celui qui est à voiles.

#### ARTICLE 21.

Quand, d'après les règles tracées ci-dessus, l'un des navires doit changer sa route, l'autre bâtiment doit conserver la sienne et maintenir sa vitesse.

NOTA.—Il peut se faire, par suite de temps couvert ou pour d'autres causes, que deux navires viennent à se trouver tellement rapprochés l'un de l'autre que la collision ne puisse être évitée par la manœuvre seule de celui qui doit laisser la route libre; dans ce cas, l'autre doit faire, de son côté, telle manœuvre qu'il jugera la meilleure pour empêcher l'abordage. (Voir Articles 27 et 29.)

#### ARTICLE 22.

Tout navire qui est tenu, d'après ces règles, de s'écarter de la route d'un autre navire doit, si les circonstances de la rencontre le permettent, éviter de couper la route de l'autre navire sur l'avant de celui-ci.

#### ARTICLE 23.

Tout navire à vapeur qui est tenu, d'après ces règles, de s'écarter de la route d'un autre navire, doit, s'il s'approche de celui-ci, ralentir au besoin sa vitesse, ou même stopper ou marcher en arrière, si les circonstances le rendent nécessaire.

#### ARTICLE 24.

Quelles que soient les prescriptions des articles qui précèdent, tout bâtiment qui en rattrape un autre doit s'écarter de la route de dernier.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, *i. e.*, in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

#### ARTICLE 25.

In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

#### ARTICLE 26.

Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats.

#### ARTICLE 27.

In obeying and construing these Rules, due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Vessels in sight of one another.

#### SOUND-SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

#### ARTICLE 28.

Sound-signals.

The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, *viz.*:—

One short blast to mean, "I am directing my course to starboard."  
Two short blasts to mean, "I am directing my course to port."  
Three short blasts to mean, "My engines are going full speed astern."

Tout navire qui se rapproche d'un autre en venant d'une direction de plus de 2 quarts sur l'arrière du travers de ce dernier, c'est-à-dire qui se trouve dans une position telle, par rapport au navire qui est rattrapé, qu'il ne pourrait, pendant la nuit, apercevoir aucun des deux feux de côté de celui-ci, doit être considéré comme un navire qui en rattrape un autre; et aucun changement ultérieur dans le relèvement entre les deux bâtiments ne pourra faire considérer le navire qui rattrape l'autre comme croisant la route de ce dernier au sens propre de ces règles, et ne pourra l'affranchir de l'obligation de s'écarter de la route du navire rattrapé jusqu'à ce qu'il l'ait tout a fait dépassé et paré.

Pendant le jour, un bâtiment qui rattrape un autre bâtiment ne pouvant pas toujours reconnaître avec certitude s'il est sur l'avant ou sur l'arrière de cette direction par rapport à ce dernier, doit, s'il y a doute, se considérer comme un navire qui en rattrape un autre et s'écarter de la route de celui-ci.

#### ARTICLE 25.

Dans les passes étroites, tout navire à vapeur doit, quand la prescription est d'une exécution possible et sans danger pour lui prendre la droite du chenal ou du milieu du passage.

#### ARTICLE 26.

Tout navire à voiles faisant route doit s'écarter de la route des navires à voiles ou embarcations pêchant avec des filets, des lignes ou des chaluts. Cette prescription ne donne pas aux navires ou embarcations, qui sont occupés à une opération de pêche, le droit d'obstruer un chenal fréquenté par des navires autres que des navires ou embarcations de pêche.

#### ARTICLE 27.

En suivant et en interprétant les prescriptions qui précèdent, on doit tenir compte de tous les dangers de navigation et de collision, ainsi que des circonstances particulières qui peuvent forcer de s'écarter de ces règles pour éviter un danger immédiat.

### SIGNAUX PHONIQUES POUR LES NAVIRES QUI S'APER- ÇOIVENT L'UN L'AUTRE.

#### ARTICLE 28.

Les mots "son bref" employés dans cet article signifient un son d'environ une seconde de durée.

Lorsque des navires sont en vue l'un de l'autre, un navire à vapeur qui est en marche doit, en changeant sa route conformément à l'autorisation ou aux prescriptions de ce règlement, indiquer ce changement par les signaux suivants faits au moyen de son sifflet ou de sirène, savoir:

Un son bref pour dire: "Je viens sur tribord." Deux sons brefs pour dire: "Je viens sur bâbord." Trois sons brefs pour dire: "Je marche en arrière à toute vitesse."

## NO VESSEL UNDER ANY CIRCUMSTANCES TO NEGLECT PROPER PRECAUTIONS.

### ARTICLE 29.

No vessel to neglect proper precautions.

Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

## RESERVATION OF RULES FOR HARBOURS AND INLAND NAVIGATION.

### ARTICLE 30.

Reservation of rules for harbors and inland navigation.

Nothing in these Rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

## DISTRESS SIGNALS.

### ARTICLE 31.

Distress signals.

When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz.:—

In the daytime—

1. A gun or other explosive signal fired at intervals of about a minute;
2. The International Code signal of distress; ~~indicated by N.C.~~
3. The ~~distant~~ *distance* signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;
4. A continuous sounding with any fog-signal apparatus;
5. *The international distress signal made by radiotelegraphy or radiotelephony, or by any other distance signalling method.*

At night—

1. A gun or other explosive signal fired at intervals of about a minute;
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals;
4. A continuous sounding with any fog-signal apparatus;
5. *The international distress signal made by radiotelegraphy or radiotelephony, or by any other distance signalling method.*

*The use of any of the above signals, except for the purpose of indicating that a vessel is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.*

OBSERVATION ABSOLUE, EN TOUTES CIRCONSTANCES,  
DES PRÉCAUTIONS ÉLÉMENTAIRES.

## ARTICLE 29.

Rien de ce qui est prescrit dans ces règles ne doit exonérer un navire ou son propriétaire, ou son capitaine, ou son équipage, des conséquences d'une négligence quelconque, soit au sujet des feux ou des signaux, soit de la part des hommes de veille, soit enfin au sujet de toute précaution que commandent l'expérience ordinaire du marin et les circonstances particulières dans lesquelles se trouve le bâtiment.

RÉSERVE RELATIVE AUX RÈGLES DE NAVIGATION  
DANS LES PORTS ET À L'INTÉRIEUR DES TERRES.

## ARTICLE 30.

Rien dans ces règles ne doit entraver l'application des règles spéciales, dûment édictées par l'autorité locale, relativement à la navigation dans une rade, dans une rivière ou dans une étendue d'eau intérieure quelconque.

## SIGNAUX DE DÉTRESSE.

## ARTICLE 31.

Lorsqu'un bâtiment est en détresse et demande des secours à d'autres navires ou à la terre, il doit faire usage des signaux suivants, ensemble ou séparément, savoir:

Pendant le jour:

1. Coups de canon ou autres signaux explosifs tirés à des intervalles d'une minute environ.
2. Le signal de détresse du Code international, *indiqué par les signes NC.*
3. Le signal de grande distance consistant en un pavillon carré, ayant au-dessus un ballon ou quelque chose ressemblant à un ballon.
4. Un son continu produit par un appareil quelconque pour signaux de brume.
5. *Le signal international de détresse radiotélégraphique ou radiotéléphonique ou autre système de signalisation à grande distance.*

Pendant la nuit:

1. Coups de canon ou autres signaux explosifs tirés à intervalles d'une minute environ.
2. Flammes sur le navire, telles qu'on peut en produire en brûlant un baril de goudron, à huile, &c.
3. Fusées ou bombes projetant des étoiles de toutes couleurs et de tous genres, ces fusées et bombes lancées une à une à de courts intervalles.
4. Un son continu produit par un appareil quelconque pour signaux de brume.
5. *Le signal international de détresse radiotélégraphique ou radiotéléphonique ou tout autre système de signalisation à grande distance.*

*Est interdit, l'usage de l'un quelconque des signaux ci-dessus sauf dans le but d'indiquer qu'un navire est en détresse et l'usage de tout signal susceptible d'être confondu avec un des signaux ci-dessus.*

*Ante*, p. 1184.

AND WHEREAS the said Convention, in accordance with a provision of Article 65 thereof, came into force on January 1, 1933, three months after the date of deposit with the Government of the United Kingdom of Great Britain and Northern Ireland on October 1, 1932, of the fifth ratification thereof;

AND WHEREAS the said Article 65 further provides that ratifications deposited after the date on which the Convention has come into force shall take effect three months after the date of their deposit;

Ratification by United States subject to certain understandings.

AND WHEREAS the ratification of the said Convention by the Government of the United States of America was deposited with the Government of the United Kingdom of Great Britain and Northern Ireland on August 7, 1936,<sup>1</sup> subject to three understandings as follows:

"(1) That nothing in this convention shall be so construed as to authorize any person to hold any seaman, whether a citizen of the United States of America or an alien, on board any merchant vessel, domestic or foreign, against his will in a safe harbor within the jurisdiction of the United States of America, when such seaman has been officially admitted thereto as a member of the crew of such vessel or to compel such seaman to proceed to sea on such vessel against his will;

38 Stat. 1165.  
46 U. S. C. § 597.

"(2) That nothing in this convention shall be so construed as to nullify or modify Section 4 of the Seaman's Act approved March 4, 1915, 38 Stat. 1164, as interpreted by the Supreme Court of the United States in *Strathearn vs. Dillon*, 252 U. S. 348, and

*Ante*, p. 1176.

"(3) That nothing in this convention shall be so construed as to prevent the officers of the United States of America who exercise the control over vessels provided for in Article 54 from making such inspection of any vessel within the jurisdiction of the United States as may be necessary to determine that the condition of the vessel's seaworthiness corresponds substantially with the particulars set forth in its certificate, that the vessel is sufficiently and efficiently manned, and that it may proceed to sea without danger to either passengers or crew, or to prevent such officers from withholding clearance to any vessel which they find may not proceed to sea with safety, until such time as any such vessel shall be put in condition so that it can proceed to sea without danger to the passengers or crew."

<sup>1</sup> Before Aug. 7, 1936, ratifications had been deposited with the British Foreign Office by all the other signatory countries, namely:

Australia, Belgium, Canada, Denmark, Finland, France, Germany, India, Irish Free State, Italy, Japan, the Netherlands, Norway, Spain, Sweden, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland.

Before Aug. 7, 1936, notices of adherence had been received by the British Foreign Office from the following countries:

Argentina, Brazil, Bulgaria, China, Danzig, Egypt, Estonia, Hungary, Iceland, Italian Colonies of Libya, Eritrea and Somaliland and Italian Islands of the Aegean, Japan for Chosen, Taiwan, and Leased Territory of Kwantung, Netherlands Indies, New Zealand, Panama, Poland, Portugal, and the United Kingdom for Hong Kong and the Straits Settlements.—EDITOR.



NOW, THEREFORE, be it known that I, FRANKLIN D. ROOSEVELT, President of the United States of America, have caused the said Convention to be made public, to the end that, subject to the understandings aforesaid, the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after November 7, 1936, the day on which the Convention shall take effect with respect to the United States of America.

Proclamation.

Effective date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

May 6, 1936  
[T. S. No. 911]

*Supplementary extradition convention between the United States of America and Denmark. Signed at Washington, May 6, 1936; ratification advised by the Senate, June 16, 1936; ratified by the President, June 20, 1936; ratified by Denmark, July 6, 1936; ratifications exchanged at Washington, September 30, 1936; proclaimed, October 7, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Supplementary ex-  
tradition convention  
with Denmark.  
Preamble.

WHEREAS a supplementary extradition convention between the United States of America and the Kingdom of Denmark was concluded and signed by their respective Plenipotentiaries at Washington, on the sixth day of May, one thousand nine hundred and thirty-six, the original of which supplementary extradition convention, being in the English and Danish languages, is word for word as follows:

Contracting Pow-  
ers.

32 Stat. 1906.

34 Stat. 2388.

The President of the United States of America and His Majesty the King of Denmark and Iceland, agreeing to add to the list of extraditable crimes mentioned in Article II of the treaty for the extradition of criminals, signed at Washington on January 6, 1902, and in Article II of the additional convention, signed November 6, 1905, by means of an additional convention, have to that end appointed as their plenipotentiaries:

Plenipotentiaries.

The President of the United States of America:

Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of Denmark and Iceland:

Mr. Otto Wadsted, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon the following articles:

Amerikas Forenede Staters Præsident og Hans Majestæt Kongen af Danmark og Island, der er enige om ved en Tillægskonvention at gøre en Tilføjelse til Fortegnelsen over de Forbrydelser, for hvilke Udlevering skal tilstaaes, og hvilke er anført i Artikel II i Traktaten angaaende Udlevering af Forbrydere, undertegnet i Washington den 6' Januar 1902 og i Artikel II i Tillægskonventionen, undertegnet den 6' November 1905, har i dette Øjemed udnævnt til deres Befuldmægtigede:

Amerikas Forenede Staters Præsident:

Cordell Hull, Amerikas Forenede Staters Statssekretær; og

Hans Majestæt Kongen af Danmark og Island:

Sin Overordentlige Gesandt og Befuldmægtigede Minister i Washington, Hr. Otto Wadsted;

Hvilke, efter at have meddelt hinanden deres respektive Fuldmagter, som fandtes i god og behørig Form, er kommet overens om følgende Artikler:

## ARTICLE I

In addition to the crimes and offenses mentioned in Article II of the treaty between the United States of America and Denmark for the extradition of criminals, signed at Washington on January 6, 1902, and in Article II of the additional convention, signed on November 6, 1905, extradition shall be granted also for:

Crimes and offenses against the bankruptcy laws, provided the act in the United States of America is punishable as a felony and in Denmark may involve punishment of imprisonment for one year or a more severe penalty.

## ARTICLE II

The present convention shall be considered as an integral part of the said extradition treaty of January 6, 1902, and shall be ratified according to the respective laws of the two contracting parties. The ratifications shall be exchanged at Washington as soon as possible.

In Testimony Whereof, the respective plenipotentiaries have signed the present convention both in the English and Danish languages and have affixed their seals to it.

Done in duplicate, at the City of Washington, this sixth day of May, nineteen hundred and thirty-six.

CORDELL HULL [SEAL]

OTTO WADSTED [SEAL]

## ARTIKEL I

Foruden de Forbrydelser og Forseelser, der er opregnet i Artikel II i Traktaten mellem Amerikas Forenede Stater og Danmark angaaende Udlevering af Forbrydere, undertegnet i Washington den 6' Januar 1902, og i Artikel II i Tillægskonventionen, undertegnet den 6' November 1905, skal Udlevering tilstaaes ogsaa for:

Konkursforbrydelser, forudsat at Handlingen i Amerikas Forenede Stater er strafbar som "felony" og i Danmark kan medføre Straf af Fængsel af et Aar eller strengere Straf.

Addition to extraditable crimes.  
32 Stat. 1908.

34 Stat. 2888.

Crimes and offenses against bankruptcy laws.

## ARTIKEL II

Nærværende Konvention skal betragtes som en integrerende Del af nævnte Udleveringstraktat af 6' Januar 1902 og skal ratificeres i Overensstemmelse med de to kontraherende Parters respektive Lovgivning. Ratifikationerne skal udveksles i Washington saa snart som muligt.

Til Bekræftelse heraf har de respektive Befuldmægtigede undertegnet nærværende Konvention baade i det engelske og i det danske Sprog samt forsynet den med deres Segl.

Udfærdiget i Washington i to Eksemplarer den sjette Maj, nitten Hundrede og seks og tredive.

Considered part of former treaty.

Ratification.

Signatures.

Ratifications  
changed.

ex-

AND WHEREAS the said supplementary extradition convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the thirtieth day of September, one thousand nine hundred and thirty-six;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary extradition convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of October in the year of our Lord one thousand nine hundred and thirty-  
[SEAL] six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

WILBUR J CARR

*Acting Secretary of State.*

*Convention between the United States of America and Mexico for the protection of migratory birds and game mammals. Signed at Mexico City, February 7, 1936; ratification advised by the Senate, April 30, 1936; ratified by the President, October 8, 1936; ratified by Mexico, February 12, 1937; ratifications exchanged at Washington, March 15, 1937; proclaimed, March 15, 1937.*

February 7, 1936  
[T. S. No. 912]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a convention between the United States of America and the United Mexican States providing for the protection of migratory birds and game mammals was concluded and signed by their respective plenipotentiaries at the city of Mexico on the seventh day of February, one thousand nine hundred and thirty-six, the original of which convention, being in the English and Spanish languages, is word for word as follows:

Migratory birds and game mammals in United States and Mexico.  
Preamble.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES FOR THE PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS.

CONVENIO ENTRE LOS ESTADOS UNIDOS DE NORTEAMERICA Y LOS ESTADOS UNIDOS MEXICANOS PARA LA PROTECCION DE AVES MIGRATORIAS Y DE MAMIFEROS CINEGETICOS.

Whereas, some of the birds denominated migratory, in their movements cross the United States of America and the United Mexican States, in which countries they live temporarily;

Considerando que algunas de las aves llamadas migratorias en sus viajes cruzan los Estados Unidos de Norteamérica y los Estados Unidos Mexicanos, en cuyos países temporalmente habitan;

Whereas it is right and proper to protect the said migratory birds, whatever may be their origin, in the United States of America and the United Mexican States, in order that the species may not be exterminated;

Considerando que es justo y conveniente proteger dichas aves migratorias, cualquiera que sea su origen, en los Estados Unidos de Norteamérica y en los Estados Unidos Mexicanos para que no se extingan sus especies;

Whereas, for this purpose it is necessary to employ adequate measures which will permit a rational utilization of migratory birds for the purposes of sport as well as for food, commerce and industry;

Considerando que para el fin indicado es necesario emplear métodos adecuados que permitan utilizar racionalmente las aves migratorias tanto en el deporte cuanto para la alimentación, el comercio y la industria;

The Governments of the two countries have agreed to conclude a Convention which will satisfy the above mentioned need and to that end have appointed as their respective plenipotentiaries: The Honorable Josephus Daniels representing the President of

Los Gobiernos de ambos países han convenido en formalizar una Convención que satisfaga la necesidad apuntada y para el efecto han nombrado sus respectivos Plenipotenciarios:

El señor Josephus Daniels, representando al Presidente de los

Plenipotentiaries.

the United States of America, Franklin D. Roosevelt and the Honorable Eduardo Hay, representing the President of the United Mexican States, General Lázaro Cárdenas, who, having exhibited to each other and found satisfactory their respective full powers, conclude the following Convention:

Estados Unidos Norteamericanos, Franklin D. Roosevelt, y el señor Eduardo Hay, representando al Presidente de los Estados Unidos Mexicanos, General de División Lázaro Cárdenas, quienes exhibieron a satisfacción sus respectivos Plenos Poderes, formalizan la siguiente Convención:

## ARTICLE I.

## ARTÍCULO I

## Purpose declared.

In order that the species may not be exterminated, the high contracting parties declare that it is right and proper to protect birds denominated as migratory, whatever may be their origin, which in their movements live temporarily in the United States of America and the United Mexican States, by means of adequate methods which will permit, in so far as the respective high contracting parties may see fit, the utilization of said birds rationally for purposes of sport, food, commerce and industry.

Las Altas Partes Contratantes declaran que es justo y conveniente proteger las aves llamadas migratorias, cualquiera que sea su origen, que en sus viajes habiten temporalmente en los Estados Unidos de Norteamérica y en los Estados Unidos Mexicanos, por medio de procedimientos adecuados, hasta donde las Altas Partes Contratantes determinen, que permitan utilizar dichas aves racionalmente, con fines deportistas, de alimentación, de comercio y de industria, a fin de que sus especies no se extingan.

## ARTICLE II.

## ARTÍCULO II

## Laws and other provisions.

The high contracting parties agree to establish laws, regulations and provisions to satisfy the need set forth in the preceding Article, including:

Las Altas Partes Contratantes convienen en dictar las Leyes, Reglamentos y Disposiciones conducentes para satisfacer la necesidad indicada en el artículo precedente, incluyendo:

## Close seasons.

A)–The establishment of close seasons, which will prohibit in certain periods of the year the taking of migratory birds, their nests or eggs, as well as their transportation or sale, alive or dead, their products or parts, except when proceeding, with appropriate authorization, from private game farms or when used for scientific purposes, for propagation or for museums.

A).–La fijación de vedas, que prohiban en determinada época del año la captura de las aves migratorias y sus nidos y huevos, así como que se pongan en circulación o venta vivas o muertas, sus productos y despojos, excepción hecha de cuando procedan de reservas o criaderos particulares y cuando se utilicen con fines científicos, de propagación y para museos, con la autorización correspondiente.

## Refuge zones.

B)–The establishment of refuge zones in which the taking of such birds will be prohibited.

B).–La determinación de zonas de refugio en las que estará prohibida la captura de dichas aves.

## Hunting season limitation.

C)–The limitation of their hunting to four months in each year, as a maximum, under permits issued by the respective authorities in each case.

C).–La limitación a cuatro meses como máximo en cada año el ejercicio de la caza, mediante permiso de las autoridades respectivas en cada caso.

D)–The establishment of a close season for wild ducks from the tenth of March to the first of September.

E)–The prohibition of the killing of migratory insectivorous birds, except when they become injurious to agriculture and constitute plagues, as well as when they come from reserves or game farms: provided however that such birds may be captured alive and used in conformity with the laws of each contracting country.

F)–The prohibition of hunting from aircraft.

D).–La veda para patos del diez de marzo al primero de septiembre.

E).–La prohibición de matar aves migratorias insectívoras, con excepción de los casos en que perjudiquen la agricultura y constituyan plagas, así como también cuando procedan de reservas o criaderos; entendiéndose que dichas aves podrán capturarse y utilizarse vivas conforme a las leyes respectivas de cada país contratante.

F).–La prohibición de cazar a bordo de aeronaves.

Protection of wild ducks.

Insectivorous birds.

Hunting from aircraft.

### ARTICLE III

The high contracting parties respectively agree, in addition, not to permit the transportation over the American-Mexican border of migratory birds, dead or alive, their parts or products, without a permit of authorization provided for that purpose by the government of each country, with the understanding that in the case that the said birds, their parts or products are transported from one country to the other without the stipulated authorization, they will be considered as contraband and treated accordingly.

### ARTICLE IV.

The high contracting parties declare that for the purposes of the present Convention the following birds shall be considered migratory:

#### MIGRATORY GAME BIRDS.

Familia Anatidae.  
Familia Gruidae.  
Familia Rallidae.  
Familia Charadriidae.  
Familia Scolopaciidae.  
Familia Recurvirostridae.  
Familia Phalaropodidae.  
Familia Columbidae.

#### MIGRATORY NON-GAME BIRDS.

Familia Cuculidae.  
Familia Caprimulgidae.

### ARTÍCULO III

Las Altas Partes Contratantes convienen, además, en no permitir que por la frontera norteamericana-mexicana sean transportadas aves migratorias vivas o muertas y sus productos y despojos, sin que lleven como guía la autorización que para el efecto expida el Gobierno de cada país, en la inteligencia de que en el caso de que sean transportadas dichas aves y sus productos y despojos de un país al otro sin la expresada autorización, se considerará ese hecho como contrabando para los efectos legales correspondientes.

### ARTÍCULO IV

Las Altas Partes Contratantes declaran que para los efectos del presente convenio se considerarán aves migratorias las siguientes:

#### AVES MIGRATORIES DE CAZA.

Familia Anatidae.  
Familia Gruidae.  
Familia Rallidae.  
Familia Charadriidae.  
Familia Scolopaciidae.  
Familia Recurvirostridae.  
Familia Phalaropodidae.  
Familia Columbidae.

#### AVES MIGRATORIAS NO DE CAZA.

Familia Cuculidae.  
Familia Caprimulgidae.

Transportation over border.

Permits.

Declaration of terms.

Migratory game birds.

Migratory non-game birds.

Familia Micropodidae.  
Familia Trochilidae.  
Familia Picidae.  
Familia Tyrannidae.  
Familia Alaudidae.  
Familia Hirundinidae.  
Familia Paridae.  
Familia Certhiidae.  
Familia Troglodytidae.  
Familia Turdidae.  
Familia Mimidae.  
Familia Sylviidae.  
Familia Motacillidae.  
Familia Bombycillidae.  
Familia Ptilogonatidae.  
Familia Laniidae.  
Familia Vireonidae.  
Familia Compothlypidae.  
Familia Icteridae.  
Familia Thraupidae.  
Familia Fringillidae.

Familia Micropodidae.  
Familia Trochilidae.  
Familia Picidae.  
Familia Tyrannidae.  
Familia Alaudidae.  
Familia Hirundinidae.  
Familia Paridae.  
Familia Certhiidae.  
Familia Troglodytidae.  
Familia Turdidae.  
Familia Mimidae.  
Familia Sylviidae.  
Familia Motacillidae.  
Familia Bombycillidae.  
Familia Ptilogonatidae.  
Familia Laniidae.  
Familia Vireonidae.  
Familia Compothlypidae.  
Familia Icteridae.  
Familia Thraupidae.  
Familia Fringillidae.

Others by common agreement.

Others which the Presidents of the United States of America and the United Mexican States may determine by common agreement.

Las demás que el Presidente de los Estados Unidos de Norteamérica y el de los Estados Unidos Mexicanos determinen de común acuerdo.

ARTICLE V.

ARTÍCULO V

Stipulations applicable to game mammals.

The high contracting parties agree to apply the stipulations set forth in Article III with respect to the game mammals which live in their respective countries.

Las Altas Partes Contratantes convienen en aplicar las estipulaciones contenidas en el artículo III respecto de los mamíferos cinegéticos que habitan en sus respectivos países.

ARTICLE VI.

ARTÍCULO VI

Ratification.

This Convention shall be ratified by the high contracting parties in accordance with their constitutional methods and shall remain in force for fifteen years and shall be understood to be extended from year to year if the high contracting parties have not indicated twelve months in advance their intention to terminate it.

Esta Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus procedimientos constitucionales y quedará en vigor durante 15 años, que se entenderán prorrogados por anualidades si las mismas Altas Partes Contratantes no manifiestan con doce meses de anticipación su deseo de darla por terminada.

Signatures.

The respective plenipotentiaries sign the present Convention in duplicate in English and Spanish, affixing thereto their respective seals, in the City of Mexico, the seventh day of February of 1936.

Los Plenipotenciarios respectivos firman la presente Convención por duplicado en inglés y en español, poniendo en ella sus respectivos sellos, en la ciudad de México el día siete del mes de febrero de 1936.

JOSEPHUS DANIELS

EDUARDO HAY

[SEAL]

[SEAL]



SECRETARIA DE RELACIONES EXTERIORES  
ESTADOS UNIDOS MEXICANOS  
MEXICO

México, 10 de febrero de 1936.

Señor ENCARGADO DE NEGOCIOS:

Tengo la honra de manifestar a usted, en relación con el Convenio entre los Estados Unidos Mexicanos y los Estados Unidos de Norteamérica para la Protección de Aves Migratorias y de Mamíferos Cinegéticos, firmado en esta ciudad el 7 del mes en curso, que esta Secretaría se permite proponer la ciudad de Washington para los efectos del canje de ratificaciones a que se refiere el artículo VI del Convenio mencionado, tan pronto como sea practicable.

Aprovecho la oportunidad para renovar a usted las seguridades de mi atenta consideración.

EDUARDO HAY

Señor HENRY R. NORWEB,  
*Encargado de Negocios ad-interim*  
*de los Estados Unidos de América.*  
*Presente.<sup>1</sup>*

No. 1488                      EMBASSY OF THE UNITED STATES OF AMERICA,  
*Mexico, February 11, 1936.*

EXCELLENCY:

I have the honor to acknowledge with appreciation Your Excellency's courteous note No. 3, Ref. III/, of February 10, 1936, in which it is suggested with reference to the Convention between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals signed in this city on the 7th of this month that the ratifications provided for in Article VI of the above-mentioned Convention be exchanged in Washington. It is understood that this proposal is satisfactory to my Government and that the treaty shall take effect on the date of the exchange of ratifications.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

R. HENRY NORWEB  
*Chargé d'Affaires ad interim.*

His Excellency  
Señor General EDUARDO HAY,  
*Minister for Foreign Affairs,*  
*Mexico.*

<sup>1</sup> Following is translation:

DEPARTMENT OF FOREIGN RELATIONS  
UNITED MEXICAN STATES  
MEXICO CITY

MEXICO CITY, February 10, 1936.

Mr. CHARGÉ D'AFFAIRES:

I have the honor to advise you, with regard to the Convention between the United Mexican States and the United States of North America for the protection of Migratory Birds and Game Mammals, signed in this city on the 7th instant, that this Department takes the liberty of proposing the city of Washington for the purpose of the exchange of ratifications referred to by Article VI of the said Convention as soon as may be practicable.

I avail myself of the opportunity to renew to you the assurances of my high consideration.

EDUARDO HAY

Mr. HENRY R. NORWEB,  
*Chargé d'Affaires ad interim*  
*of the United States of America,*  
*City.*

Ratifications exchanged.

AND WHEREAS the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the fifteenth day of March, one thousand nine hundred and thirty-seven, on which day the convention entered into force in accordance with an understanding reached by an exchange of notes signed on February 10 and February 11, 1936, by the Minister for Foreign Affairs of the United Mexican States and the Chargé d'Affaires of the United States of America at the city of Mexico.

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fifteenth day of March, in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Protocol and procès-verbal of deposit of ratifications and accessions between the United States of America and other powers relating to military obligations in certain cases of double nationality. Concluded at The Hague, April 12, 1930; signed on the part of the United States of America, December 31, 1930; ratification advised by the Senate, June 18, 1932; ratified by the President, July 5, 1932; ratification of the United States of America deposited at Geneva, August 3, 1932; proclaimed, April 26, 1937.*

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 April 12, 1930

[T. S. No. 913]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS a Protocol relating to military obligations in certain cases of double nationality, dated The Hague April 12, 1930, but left open for signature until December 31, 1930, was signed by the respective Plenipotentiaries of the United States of America; Germany; Austria; Belgium, with a reservation; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; Irish Free State; India, with a reservation; Chile; Colombia; Cuba, *ad referendum*; Denmark; Egypt; Spain; France; Greece, *ad referendum*; Luxemburg; Mexico; the Netherlands, with reservations; Peru; Portugal; Salvador; Sweden; and Uruguay; the original of which Protocol, in the English and French languages, is word for word as follows:

Multilateral protocol, etc., relating to military obligations in certain cases of double nationality.  
Preamble.  
Signatory Powers.

## PROTOCOLE RELATIF AUX OBLIGATIONS MILITAIRES DANS CERTAINS CAS DE DOUBLE NATIONALITÉ

LES PLÉNIPOTENTIAIRES SOUSSIGNÉS, au nom de leurs Gouvernements respectifs,

Dans le but de régler certaines situations d'individus possédant deux ou plusieurs nationalités en ce qui concerne leurs obligations militaires,

SONT CONVENUS DES DISPOSITIONS SUIVANTES:

### *Article premier.*

L'individu possédant la nationalité de deux ou de plusieurs pays, qui réside habituellement sur le territoire de l'un d'eux et se rattache en fait le plus à ce pays, sera exempté de toutes obligations militaires dans tout autre de ces pays.

Cette dispense pourra entraîner la perte de la nationalité de tout autre de ces pays.

### *Article 2.*

Sous réserve des dispositions de l'article premier du présent Protocole, si un individu possède la nationalité de deux ou plusieurs États et a, aux termes de la législation de l'un d'eux, le droit, au moment où il atteint sa majorité, de répudier ou de refuser la nationalité dudit État, il sera, pendant sa minorité, exempté de service militaire dans cet État.

### *Article 3.*

L'individu qui a perdu la nationalité d'un État d'après la loi de cet État et a acquis une autre nationalité, sera exempté d'obligations militaires dans le pays dont il a perdu la nationalité.

### *Article 4.*

Les Hautes Parties Contractantes conviennent d'appliquer, dans leurs relations mutuelles, à partir de la mise en vigueur du présent Protocole, les principes et règles insérés aux articles ci-dessus.

L'insertion de ces principes et règles ne préjuge en rien la question de savoir si lesdits principes et règles font ou non partie actuellement du droit international.

Il est en outre entendu qu'en ce qui concerne tout point qui ne fait pas l'objet d'une des dispositions ci-dessus, les principes et règles du droit international demeurent en vigueur.

### *Article 5.*

Rien dans le présent Protocole ne portera atteinte aux dispositions des traités, conventions ou accords en vigueur entre les Hautes Parties Contractantes relatifs à la nationalité ou à des questions s'y rattachant.

## PROTOCOL RELATING TO MILITARY OBLIGATIONS IN CERTAIN CASES OF DOUBLE NATIONALITY.

THE UNDERSIGNED PLENIPOTENTIARIES, on behalf of their respective Governments,

Military obligations in certain cases of double nationality.

With a view to determining in certain cases the position as regards their military obligations of persons possessing two or more nationalities,

HAVE AGREED AS FOLLOWS:

### *Article 1.*

A person possessing two or more nationalities who habitually resides in one of the countries whose nationality he possesses, and who is in fact most closely connected with that country, shall be exempt from all military obligations in the other country or countries.

Exemption, except in country where person habitually resides.

This exemption may involve the loss of the nationality of the other country or countries.

Loss of nationality in other country.

### *Article 2.*

Without prejudice to the provisions of Article 1 of the present Protocol, if a person possesses the nationality of two or more States and, under the law of any one of such States, has the right, on attaining his majority, to renounce or decline the nationality of that State, he shall be exempt from military service in such State during his minority.

Renunciation, etc.

### *Article 3.*

A person who has lost the nationality of a State under the law of that State and has acquired another nationality, shall be exempt from military obligations in the State of which he has lost the nationality.

Loss of nationality under one State and acquisition in another.

### *Article 4.*

The High Contracting Parties agree to apply the principles and rules contained in the preceding articles in their relations with each other, as from the date of the entry into force of the present Protocol.

Mutual application of principles on entry into force of Protocol.

The inclusion of the above-mentioned principles and rules in the said articles shall in no way be deemed to prejudice the question whether they do or do not already form part of international law.

Inclusion of, not to prejudice international law.

It is understood that, in so far as any point is not covered by any of the provisions of the preceding articles, the existing principles and rules of international law shall remain in force.

### *Article 5.*

Nothing in the present Protocol shall affect the provisions of any treaty, convention or agreement in force between any of the High Contracting Parties relating to nationality or matters connected therewith.

Existing treaty, etc., provisions not affected.

*Article 6.*

En signant ou ratifiant le présent Protocole ou en y adhérant, chacune des Hautes Parties Contractantes pourra exclure de son acceptation telle ou telle des dispositions des articles 1 à 3 et 7 au moyen de réserves expresses.

Les dispositions ainsi exclues ne pourront être opposées à la Partie Contractante ayant formulé de telles réserves ni invoquées par elle contre une autre Partie Contractante.

*Article 7.*

S'il s'élève entre les Hautes Parties Contractantes un différend quelconque relatif à l'interprétation ou à l'application du présent Protocole, et si ce différend n'a pu être résolu de façon satisfaisante par voie diplomatique, il sera réglé conformément aux dispositions, en vigueur entre les Parties, concernant le règlement des différends internationaux.

Au cas où de telles dispositions n'existeraient pas entre les parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire, en se conformant aux lois constitutionnelles de chacune d'elles. A défaut d'accord sur le choix d'un autre tribunal, elles soumettront le différend à la Cour permanente de Justice internationale, si elles sont toutes Parties au Protocole du 16 décembre 1920, relatif à ladite Cour, et, si elles n'y sont pas toutes Parties, à un tribunal d'arbitrage constitué conformément à la Convention de La Haye du 18 octobre 1907 relative au règlement pacifique des conflits internationaux.

*Article 8.*

Le présent Protocole pourra être signé, jusqu'au 31 décembre 1930, au nom de tout Membre de la Société des Nations ou de tout État non Membre, invité à la première Conférence de Codification ou auquel le Conseil de la Société des Nations aura, à cet effet, communiqué un exemplaire dudit Protocole.

*Article 9.*

Le présent Protocole sera ratifié et les ratifications seront déposées au Secrétariat de la Société des Nations.

Le Secrétaire général donnera connaissance de chaque dépôt aux Membres de la Société des Nations et aux États non Membres visés à l'article 8, en indiquant la date à laquelle ce dépôt a été effectué.

*Article 10.*

A partir du 1<sup>er</sup> janvier 1931, tout Membre de la Société des Nations et tout État non Membre visé à l'article 8, au nom duquel le Protocole n'a pas été signé à cette date, sera admis à y adhérer.

Son adhésion fera l'objet d'un Acte déposé au Secrétariat de la Société des Nations. Le Secrétaire général notifiera chaque adhésion à tous les Membres de la Société des Nations et à tous les États non Membres visés à l'article 8, en indiquant la date à laquelle l'Acte d'adhésion a été déposé.

*Article 6.*

Any High Contracting Party may, when signing or ratifying the present Protocol or acceding thereto, append an express reservation excluding any one or more of the provisions of Articles 1 to 3 and 7.

Reservations.

The provisions thus excluded cannot be applied against the High Contracting Party who has made the reservation nor relied on by that Party against any other High Contracting Party.

*Article 7.*

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Protocol and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

Settlement of disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement, in accordance with the constitutional procedure of each of the Parties to the dispute. In the absence of agreement on the choice of another tribunal, the dispute shall be referred to the Permanent Court of International Justice, if all the Parties to the dispute are Parties to the Protocol of the 16th December, 1920, relating to the Statute of that Court, and if any of the Parties to the dispute is not a Party to the Protocol of the 16th December, 1920, the dispute shall be referred to an arbitral tribunal constituted in accordance with the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Conflicts.

Reference to arbitration or judicial settlement.

36 Stat. 2199.

*Article 8.*

The present Protocol shall remain open until the 31st December, 1930, for signature on behalf of any Member of the League of Nations or of any non-Member State invited to the First Codification Conference or to which the Council of the League of Nations has communicated a copy of the Protocol for this purpose.

Open for signature until December 31, 1930.

*Article 9.*

The present Protocol is subject to ratification. Ratifications shall be deposited with the Secretariat of the League of Nations.

Ratification; deposit.

The Secretary-General shall give notice of the deposit of each ratification to the Members of the League of Nations and to the non-Member States mentioned in Article 8, indicating the date of its deposit.

Notice of deposit.

*Article 10.*

As from January 1st, 1931, any Member of the League of Nations and any non-Member State mentioned in Article 8 on whose behalf the Protocol has not been signed before that date may accede thereto.

Accessions.

Accession shall be effected by an instrument deposited with the Secretariat of the League of Nations. The Secretary-General of the League of Nations shall give notice of each accession to the Members of the League of Nations and to the non-Member States mentioned in Article 8, indicating the date of the deposit of the instrument.

*Article 11.*

Un procès-verbal sera dressé par le Secrétaire général de la Société des Nations dès que des ratifications ou des adhésions auront été déposées au nom de dix Membres de la Société des Nations ou États non Membres.

Une copie certifiée conforme de ce procès-verbal sera remise à chacun des Membres de la Société des Nations et à tout État non Membre visés à l'article 8, par les soins du Secrétaire général de la Société des Nations.

*Article 12.*

Le présent Protocole entrera en vigueur la 90<sup>me</sup> jour après la date du procès-verbal visé à l'article 11 à l'égard des Membres de la Société des Nations et des États non Membres au nom desquels des ratifications ou adhésions auront été déposées à la suite de ce procès-verbal.

A l'égard de chacun des Membres ou États non Membres au nom desquels des ratifications ou des adhésions seront ultérieurement déposées, le Protocole entrera en vigueur le 90<sup>me</sup> jour après la date du dépôt de sa ratification ou de son adhésion.

*Article 13.*

A partir du 1<sup>er</sup> janvier 1936, tout Membre de la Société des Nations et tout État non Membre à l'égard duquel le présent Protocole est à ce moment en vigueur pourra adresser au Secrétaire général de la Société des Nations une demande tendant à la revision de certaines ou de toutes les dispositions de ce Protocole. Si une telle demande, communiquée aux autres Membres ou États non Membres à l'égard desquels le Protocole est à ce moment en vigueur, est appuyée dans un délai d'un an par au moins neuf d'entre eux, le Conseil de la Société des Nations décidera, après consultation des Membres et des États non Membres visés à l'article 8, s'il y a lieu de convoquer une conférence spéciale à cet effet, ou de mettre cette revision à l'ordre du jour d'une prochaine conférence pour la codification du droit international.

Les Hautes Parties Contractantes conviennent qu'en cas de revision du présent Protocole, l'Accord nouveau pourra prévoir que son entrée en vigueur entraînera l'abrogation à l'égard de toutes les Parties au présent Protocole de toutes les dispositions de celui-ci ou de certaines d'entre elles.

*Article 14.*

Le présent Protocole peut être dénoncé.

Cette dénonciation sera notifiée par écrit au Secrétaire général de la Société des Nations, qui en donnera connaissance à tous les Membres et aux États non Membres visés à l'article 8.

Cette dénonciation ne produira effet qu'à l'égard du Membre ou de l'État non Membre qui l'aura notifiée et un an après la date à laquelle cette notification aura été reçue par le Secrétaire général.



*Article 11.*

A procès-verbal shall be drawn up by the Secretary-General of the League of Nations as soon as ratifications or accessions on behalf of ten Members of the League of Nations or non-Member States have been deposited.

Procès-verbal on deposit of requisite signatures.

A certified copy of this procès-verbal shall be sent by the Secretary-General to each Member of the League of Nations and to each non-Member State mentioned in Article 8.

*Article 12.*

The present Protocol shall enter into force on the 90th day after the date of the procès-verbal mentioned in Article 11 as regards all Members of the League of Nations or non-Member States on whose behalf ratifications or accessions have been deposited on the date of the procès-verbal.

Effective dates.

As regards any Member of the League or non-Member State on whose behalf a ratification or accession is subsequently deposited, the Protocol shall enter into force on the 90th day after the date of the deposit of a ratification or accession on its behalf.

*Article 13.*

As from January 1st, 1936, any Member of the League of Nations or any non-Member State in regard to which the present Protocol is then in force, may address to the Secretary-General of the League of Nations a request for the revision of any or all of the provisions of this Protocol. If such a request, after being communicated to the other Members of the League and non-Member States in regard to which the Protocol is then in force, is supported within one year by at least nine of them, the Council of the League of Nations shall decide, after consultation with the Members of the League of Nations and the non-Member States mentioned in Article 8, whether a conference should be specially convoked for that purpose or whether such revision should be considered at the next conference for the codification of international law.

Requests for revision.

The High Contracting Parties agree that, if the present Protocol is revised, the new Agreement may provide that upon its entry into force some or all of the provisions of the present Protocol shall be abrogated in respect of all of the Parties to the present Protocol.

*Article 14.*

The present Protocol may be denounced.

Denunciations.

Denunciation shall be effected by a notification in writing addressed to the Secretary-General of the League of Nations, who shall inform all Members of the League of Nations and the non-Member States mentioned in Article 8.

Each denunciation shall take effect one year after the receipt by the Secretary-General of the notification but only as regards the Member of the League or non-Member State on whose behalf it has been notified.

Effective date.

*Article 15.*

1. Chacune des Hautes Parties Contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion que, par son acceptation du présent Protocole, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou encore en ce qui concerne certaines de leurs populations; dans ce cas, le présent Protocole ne sera pas applicable aux territoires ou populations faisant l'objet d'une telle déclaration.

2. Chacune des Hautes Parties Contractantes pourra ultérieurement notifier au Secrétaire général de la Société des Nations qu'elle entend rendre le présent Protocole applicable à l'ensemble ou à toute partie de ses territoires ou de leurs populations ayant fait l'objet de la déclaration prévue au paragraphe précédent. Dans ce cas, le Protocole s'appliquera aux territoires ou aux populations visés dans la notification six mois après la réception de cette notification par le Secrétaire général de la Société des Nations.

3. De même, chacune des Hautes Parties Contractantes peut, à tout moment, déclarer qu'elle entend voir cesser l'application du présent Protocole à l'ensemble ou à toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou encore en ce qui concerne certaines de leurs populations; dans ce cas, le Protocole cessera d'être applicable aux territoires ou populations faisant l'objet d'une telle déclaration un an après la réception de cette déclaration par le Secrétaire général de la Société des Nations.

4. Chacune des Hautes Parties Contractantes peut faire des réserves conformément à l'article 6 du présent Protocole en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou en ce qui concerne certaines de leurs populations, au moment de la signature, de la ratification ou de l'adhésion, ou au moment de la notification prévue au paragraphe 2 du présent article.

5. Le Secrétaire général de la Société des Nations communiquera à tous les Membres de la Société des Nations et aux États non Membres visés à l'article 8 les déclarations et notifications reçues en vertu du présent article.

*Article 16.*

Le présent Protocole sera enregistré par les soins du Secrétaire général de la Société des Nations, dès sa mise en vigueur.

*Article 17.*

Les textes français et anglais du présent Protocole font également foi.

*Article 15.*

1. Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Protocol, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories; and the present Protocol shall not apply to any territories or to the parts of their population named in such declaration

Application to territories, etc.

2. Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Protocol shall apply to all or any of his territories or to the parts of their population which have been made the subject of a declaration under the preceding paragraph, and the Protocol shall apply to all the territories or the parts of their population named in such notice six months after its receipt by the Secretary-General of the League of Nations.

3. Any High Contracting Party may, at any time, declare that he desires that the present Protocol shall cease to apply to all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories, and the Protocol shall cease to apply to the territories or to the parts of their population named in such declaration one year after its receipt by the Secretary-General of the League of Nations.

4. Any High Contracting Party may make the reservations provided for in Article 6 in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of these territories, at the time of signature, ratification or accession to the Protocol or at the time of making a notification under the second paragraph of this article.

5. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and the non-Member States mentioned in Article 8 all declarations and notices received in virtue of this article.

*Article 16.*

The present Protocol shall be registered by the Secretary-General of the League of Nations as soon as it has entered into force.

Registry by Secretary-General, League of Nations.

*Article 17.*

The French and English texts of the present Protocol shall both be authoritative.

Official texts.

Signatures.

EN FOI DE QUOI, les Plénipotentiaires ont signé le présent Protocole.

FAIT à La Haye, le douze avril mil neuf cent trente, en un seul exemplaire qui sera déposé dans les archives du Secrétariat de la Société des Nations. Une copie certifiée conforme sera transmise par les soins du Secrétaire général à tous les Membres de la Société des Nations et à tous les États non Membres invités à la première Conférence pour la Codification du Droit international.

IN FAITH WHEREOF the Plenipotentiaries have signed the present Protocol.

DONE at The Hague on the twelfth day of April, one thousand nine hundred and thirty, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations and of which certified true copies shall be transmitted by the Secretary-General to all the Members of the League of Nations and all the non-Member States invited to the First Conference for the Codification of International Law.

ALLEMAGNE

GERMANY

GÖPPERT  
HERING

ÉTATS-UNIS D'AMÉRIQUE

UNITED STATES OF AMERICA

Hugh R. WILSON

AUTRICHE

AUSTRIA

LEITMAIER

BELGIQUE

BELGIUM

J. DE RUELLE

Sous réserve d'adhésion ultérieure pour la Colonie du Congo et les Territoires sous mandat.<sup>1</sup>

GRANDE-BRETAGNE

GREAT BRITAIN

ET IRLANDE DU NORD,  
ainsi que toutes parties de l'Empire  
britannique non membres séparés  
de la Société des Nations.

AND NORTHERN IRELAND  
and all parts of the British Empire  
which are not separate Members  
of the League of Nations.

Maurice GWYER  
Oscar F. DOWSON

CANADA

CANADA

Philippe ROY

ÉTAT LIBRE D'IRLANDE

IRISH FREE STATE

John J. HEARNE

INDE

INDIA

[Translation by the Secretariat of the League of Nations.]

<sup>1</sup> Subject to accession later for the Colony of the Congo and the mandated territories.

In accordance with the provisions of Article 15 of this Protocol I declare that His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under His suzerainty or the population of the said territories.<sup>1</sup>

Basanta KUMAR MULICK

CHILI

CHILE

Miguel CRUCHAGA  
Alejandro ALVAREZ  
H. MARCHANT

COLOMBIE

COLOMBIA

A. J. RESTREPO      Francisco José URRUTIA

CUBA

CUBA

*Ad referendum.*

DIAZ DE VILLAR  
Carlos DE ARMENTEROS

DANEMARK

DENMARK

F. MARTENSEN-LARSEN      V. LORCK.

ÉGYPTE

EGYPT

A. BADAoui.  
M. SID AHMED

ESPAGNE

SPAIN

A. GOICOECHEA

FRANCE

FRANCE

Paul MATTER  
A. KAMMERER

GRÈCE

GREECE

*Ad referendum.*

N. POLITIS  
Megalos CALOYANNI  
Jean SPIROPOULOS

LUXEMBOURG

LUXEMBURG

Conrad STUMPER

MEXIQUE

MEXICO

Eduardo SUAREZ

PAYS-BAS

THE NETHERLANDS

Les Pays-Bas:

1° Excluent de leur acceptation l'article 3;

[Traduction du Secrétariat de la Société des Nations.]

<sup>1</sup> Conformément aux dispositions de l'article 15 de ce Protocole, je déclare que Sa Majesté Britannique n'assume aucune obligation en ce qui concerne les territoires de l'Inde appartenant à un prince ou chef placé sous sa suzeraineté ou en ce qui concerne la population desdits territoires.

2° N'entendent assumer aucune obligation en ce qui concerne les Indes néerlandaises, le Surinam et Curaçao.<sup>1</sup>

V. EYSINGA.  
J. KOSTERS.

PÉROU

PERU

M. H. CORNEJO

PORTUGAL

PORTUGAL

José CAEIRO DA MATTA  
José Maria VILHENA BARBOSA DE MAGALHAES.  
Prof. Doutor J. LOBO D'AVILA LIMA

SALVADOR

SALVADOR

J. Gustavo GUERRERO

SUÈDE

SWEDEN

Sous réserve de ratification de S. M. le Roi  
de Suède avec l'approbation du Riksdag.<sup>2</sup>

K. J. WESTMAN.

URUGUAY

URUGUAY

E. E. BUERO

Copie certifiée conforme.  
Pour le Secrétaire général:

Certified true copy.  
For the Secretary-General:

H. McK. Wood

*Conseiller juridique du  
Secrétariat. p. i.*

*Acting Legal Adviser  
of the Secretariat.*

Ratifications.

*Ante*, p. 1321.

AND WHEREAS the said Protocol has been acceded to by Australia, including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru; Brazil; and the Union of South Africa, with a reservation; as provided in Article 10 thereof;

*Post*, p. 1330.

*Ante*, p. 1323.

AND WHEREAS the said Protocol has been duly ratified by the Government of the United States of America, whose instrument of ratification was deposited with the Secretariat of the League of Nations on August 3, 1932;

AND WHEREAS the Secretary General of the League of Nations has certified by a procès-verbal dated February 24, 1937, drawn up in conformity with Article 11 of the said Protocol, that ratifications of or accessions to the said Protocol had been deposited with the Secretariat of the League of Nations by ten signatory or acceding Governments, as follows:

[*Translation by the Secretariat of the League of Nations.*]

<sup>1</sup> The Netherlands:

1. Exclude from acceptance Article 3;
2. Do not intend to assume any obligation as regards Netherlands Indies, Surinam and Curaçao.

<sup>2</sup> Subject to ratification by his Majesty the King of Sweden with the approval of the Riksdag.

Brazil; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; United States of America; India, with a reservation; Sweden; Australia, including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru; Union of South Africa, with a reservation; Salvador; Cuba, with a reservation; and Colombia;<sup>1</sup>

AND WHEREAS in accordance with Article 12 of the said Protocol the Protocol shall enter into force in respect of the Governments on whose behalf ratifications or accessions had been deposited on the date of the procès-verbal on the ninetieth day after the date thereof, that is to say, on May 26, 1937;

*Ante*, p. 1323.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Protocol to be made public to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof in respect of the aforesaid countries on and after the twenty-sixth day of May, one thousand nine hundred and thirty-seven, and in respect of the countries which shall, after the date of the aforesaid procès-verbal, deposit with the Secretariat of the League of Nations their instruments of ratification or accession on and from the ninetieth day after the date of such deposit, as provided in the second paragraph of Article 12 of the said Protocol;

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-sixth day of April  
in the year of our Lord one thousand nine hundred and  
[SEAL] thirty-seven and of the Independence of the United States  
of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

<sup>1</sup> The instrument of ratification by the Netherlands (including the Netherlands Indies, Surinam, and Curaçao) was deposited at Geneva on Apr. 2, 1937. At the time of depositing the ratification the Netherlands Government withdrew the reservation regarding art. 3 made at the time of signature of the protocol. In accordance with the second paragraph of art. 12 of the protocol, the protocol will enter into force in respect of the Netherlands (including the Netherlands Indies, Surinam, and Curaçao) on the 90th day after the date of the deposit.

**PROCES-VERBAL CONSTATANT LE DEPOT DES DIX RATIFICATIONS OU ADHESIONS PREVUES A L'ARTICLE 11 DU PROTOCOLE RELATIF AUX OBLIGATIONS MILITAIRES DANS CERTAINS CAS DE DOUBLE NATIONALITE, SIGNE A LA HAYE, LE 12 AVRIL 1930.**

Procès-verbal.  
*Ante*, p. 1323.

Deposit of instru-  
ments of accession,  
etc.

Conformément au paragraphe 1er de l'article 11 du Protocole relatif aux obligations militaires dans certains cas de double nationalité, signé à La Haye, le 12 avril 1930, le soussigné certifie que les instruments suivants ont été dûment déposés aux archives de la Société des Nations relativement au Protocole susmentionné :

- 1) Acte d'adhésion du Brésil, déposé le 19 septembre 1931;
  - 2) Instrument de ratification pour la Grande-Bretagne et l'Irlande du Nord ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations, déposé le 14 janvier 1932;
  - 3) Instrument de ratification des Etats-Unis d'Amérique, déposé le 3 août 1932;
  - 4) Instrument de ratification de l'Inde, déposé le 28 septembre 1932;
- Sous la réserve suivante:

Conformément aux dispositions de l'article 15 de ce Protocole, Sa Majesté britannique n'assume aucune obligation en ce qui concerne les territoires de l'Inde appartenant à un prince ou chef placé sous sa suzeraineté ou en ce qui concerne la population desdits territoires.

**PROCES-VERBAL REGARDING THE DEPOSIT OF THE TEN RATIFICATIONS OR ACCESSIONS REFERRED TO IN ARTICLE 11 OF THE PROTOCOL RELATING TO MILITARY OBLIGATIONS IN CERTAIN CASES OF DOUBLE NATIONALITY, SIGNED AT THE HAGUE, APRIL 12TH, 1930.**

In accordance with Article 11, paragraph 1, of the Protocol relating to Military Obligations in certain cases of double nationality, signed at The Hague on April 12th, 1930, the undersigned hereby certifies that the following instruments were deposited with the Secretariat of the League of Nations in connection with the above-mentioned Protocol:

- (1) Instrument of accession of Brazil, deposited on September 19th, 1931;
  - (2) Instrument of ratification for Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations, deposited on January 14th, 1932;
  - (3) Instrument of ratification by the United States of America, deposited on August 3rd, 1932;
  - (4) Instrument of ratification by India, deposited on September 28th, 1932;
- Subject to the following reservation:

In accordance with the provisions of Article 15, His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under His Suzerainty or the population of the said territories.



- 5) Instrument de ratification de la Suède, déposé le 6 juillet 1933;
- 6) Instrument d'adhésion de l'Australie, déposé le 8 juillet 1935;
- 7) Instrument d'adhésion de l'Union Sud-Africaine, déposé le 9 octobre 1935;
- (5) Instrument of ratification by Sweden, deposited on July 6th, 1933;
- (6) Instrument of accession of Australia, deposited on July 8th, 1935;
- (7) Instrument of accession of the Union of South Africa, deposited on October 9th, 1935;

Cette adhésion comprend également les territoires de Papoua et de l'île de Norfolk ainsi que les territoires sous mandat de la Nouvelle-Guinée et de Nauru.

This accession includes also the territories of Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.

L'adhésion du Gouvernement de l'Union Sud-Africaine à ce Protocole est donnée sous la réserve expresse, prévue à l'article 6, que les dispositions de l'article 2 sont exclues.

The accession of the Government of the Union of South Africa to this Protocol is subject to the express reservation, in terms of Article 6 of the Protocol, that the provisions of Article 2 be excluded.

- 8) Instrument de ratification du Salvador, déposé le 14 octobre 1935;
- 9) Instrument de ratification de Cuba, déposé le 22 octobre 1936;
- (8) Instrument of ratification by Salvador, deposited on October 14th, 1935;
- (9) Instrument of ratification by Cuba, deposited on October 22nd, 1936;

Sous la réserve suivante:

Subject to the following reservation:

Le Gouvernement de Cuba déclare ne pas assumer l'obligation imposée par l'article 2 du Protocole lorsque le mineur visé par ledit article—bien qu'il ait le droit au moment où il atteindra sa majorité, de répudier ou de refuser la nationalité cubaine—réside habituellement sur le territoire de l'Etat, étant donné qu'il est uni, de fait, à ce dernier par un lien plus étroit qu'avec tout autre Etat dont il posséderait également la nationalité.

The Government of Cuba declares that it does not accept the obligation imposed by Article 2 of the Protocol when the minor referred to in that Article, although he has the right, on attaining his majority, to renounce or decline Cuban nationality, habitually resides in the territory of the State and is in fact more closely connected with the latter than with any other State whose nationality he may also possess.

- 10) Instrument de ratification de la Colombie, déposé le 24 février 1937.
- (10) Instrument of ratification by Colombia, deposited on February 24th, 1937.

Et aux fins prévues au deuxième paragraphe du même article, le soussigné dresse le présent procès-verbal.

Fait à Genève, le vingt-quatre février mil neuf cent trente-sept.

In order to give effect to the second paragraph of the same Article, the undersigned has drawn up the present procès-verbal.

Done at Geneva on the twenty-fourth day of February, one thousand nine hundred and thirty-seven.

*Le Secrétaire général:*

*The Secretary-General:*

J. AVENOL.

Copie certifiée conforme.  
Pour le Secrétaire général:

Certified true copy.  
For the Secretary-General:

L A PODESTA COSTA

*Consiller juridique  
du Secrétariat.*

*Legal Adviser of the  
Secretariat.*

*Convention between the United States of America and Mexico for the recovery and return of stolen or embezzled motor vehicles, trailers, airplanes or component parts of any of them. Signed at Mexico City, October 6, 1936; ratification advised by the Senate, May 6, 1937; ratified by the President, May 19, 1937; ratified by Mexico, June 11, 1937; ratifications exchanged at Mexico City, June 19, 1937; proclaimed, June 24, 1937.*

October 6, 1936  
[T. S. No. 914]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS a Convention for the Recovery and Return of Stolen or Embezzled Motor Vehicles, Trailers, Airplanes or Component Parts of Any of Them between the United States of America and the United Mexican States was concluded and signed by their respective Plenipotentiaries at Mexico City on the sixth day of October, one thousand nine hundred and thirty-six, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Convention with Mexico for the recovery of stolen motor vehicles, etc.  
Preamble.

CONVENTION FOR THE RECOVERY AND RETURN OF STOLEN OR EMBEZZLED MOTOR VEHICLES, TRAILERS, AIRPLANES OR COMPONENT PARTS OF ANY OF THEM.

CONVENCION PARA LA RECUPERACION Y DEVOLUCION DE VEHICULOS DE MOTOR, REMOLQUES, AEROPLANOS O PARTES COMPONENTES DE CUALQUIERA DE ELLOS QUE HUBIESEN SIDO ROBADOS U OBJETO DE CUALQUIER DELITO CONTRA LA PROPIEDAD.

The United States of America and the United Mexican States being mutually desirous that motor vehicles, trailers, airplanes, and the component parts of any of them which may be stolen or embezzled in either country and taken into the territory of the other country shall be recovered and returned to the country of the legitimate owner thereof, have agreed to conclude a convention to give effect to that purpose and have named as their Plenipotentiaries:

The President of the United States of America, Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico; and

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseosos de que los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos que hubiesen sido robados u objeto de cualquier delito contra la propiedad en uno de dichos países y llevados al territorio del otro, puedan ser recuperados y devueltos al país de su legítimo propietario, han acordado celebrar una Convención y para tal fin han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos de América, al señor Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América en México; y

Purpose declared.

Plenipotentiaries.

The President of the United Mexican States, General Eduardo Hay, Secretary of State for Foreign Affairs;

Who, having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following articles:

#### ARTICLE I.

Whenever the Government of the United Mexican States through its Embassy in Washington shall so request the Department of State of the United States of America, that Department will use every proper means to bring about the detention of alleged stolen or embezzled motor vehicles, trailers, airplanes or the component parts of any of them.

The request of the Embassy shall be accompanied by documents legally valid in the United Mexican States supporting the claim of the person or persons interested to the property the return of which is requested.

After the property shall have been detained, and in the absence of evidence conclusively controverting the proof just before mentioned, it will be delivered to the person or persons designated for such purpose by the Embassy in Washington of the United Mexican States.

#### ARTICLE II.

Whenever the Government of the United States of America through its Embassy in Mexico City shall so request the Department of Foreign Relations of the United Mexican States, that Department will use every proper means to bring about the detention of alleged stolen or embezzled motor vehicles, trailers, airplanes or the component parts of any of them.

El Presidente de los Estados Unidos Mexicanos, al señor General Eduardo Hay, Secretario de Estado y del Despacho de Relaciones Exteriores;

Quienes, después de comunicarse sus respectivos Plenos Poderes, hallados en buena y debida forma, han convenido en los siguientes artículos:

#### ARTÍCULO I.

Siempre que el Gobierno de los Estados Unidos Mexicanos, por medio de su Embajada en Washington, lo solicite del Departamento de Estado de los Estados Unidos de América, esta alta Dependencia empleará todos los medios apropiados para lograr la detención de los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos, que se reputen en la petición como robados u objeto de cualquier otro delito contra la propiedad.

La solicitud de la Embajada deberá presentarse acompañada de los documentos, legalmente válidos en los Estados Unidos Mexicanos, que justifiquen el derecho de la persona o personas interesadas sobre la cosa cuya devolución se pide.

Una vez que haya sido detenida la cosa, y siempre que no exista prueba concluyente que contradiga la prueba mencionada en el párrafo anterior, será entregada a la persona o personas que con tal fin hubiere designado la Embajada de los Estados Unidos Mexicanos en Washington.

#### ARTÍCULO II.

Siempre que el Gobierno de los Estados Unidos de América, por medio de su Embajada en México, lo solicite de la Secretaría de Relaciones Exteriores de los Estados Unidos Mexicanos, esta alta Dependencia empleará todos los medios apropiados para lograr la detención de los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos que se reputen en la petición como robados u objeto de cualquier otro delito contra la propiedad.

Recoveries in  
United States.

Recoveries in  
Mexico.

The request of the Embassy shall be accompanied by documents legally valid in the United States of America supporting the claim of the person or persons interested to the property the return of which is requested.

After the property shall have been detained, and in the absence of evidence conclusively controverting the proof just before mentioned, it will be delivered to the person or persons designated for such purpose by the Embassy in Mexico City of the United States of America.

#### ARTICLE III.

When the stolen or embezzled property is held as evidence in a criminal case, in the country where recovered, such detention shall not exceed twenty days from the date of the presentation to the Department of State or the Department of Foreign Relations, as the case may be, of the official request for the return of the property.

#### ARTICLE IV.

The High Contracting Parties will extend all necessary customs and other facilities in order that the person or persons on whose behalf the return has been made shall receive the stolen property and return with it to the territory of the country from which the request emanated.

#### ARTICLE V.

The High Contracting Parties will not assess any duties, fines or other monetary penalties upon the property detained and returned under the terms and provisions of this Convention. All expenses incident to the return and delivery of the property to the requesting country shall be borne by the person or persons receiving the vehicles or their component parts and such person or persons shall have no claim for compensation against the detaining authorities for damages to the property in con-

La solicitud de la Embajada deberá presentarse acompañada de los documentos, legalmente válidos en los Estados Unidos de América, que justifiquen el derecho de la persona o personas interesadas sobre la cosa cuya devolución se pide.

Una vez que haya sido detenida la cosa, y siempre que no exista prueba concluyente que contradiga la prueba mencionada en el párrafo anterior, será entregada a la persona o personas que con tal fin hubiese designado la Embajada de los Estados Unidos de América en México.

#### ARTÍCULO III.

Cuando la cosa cuya devolución se solicita esté detenida como prueba en un caso penal en el país en que haya sido recuperada, tal detención no excederá de veinte días contados desde la fecha en que la solicitud oficial de devolución haya sido presentado al Departamento de Estado o a la Secretaría de Relaciones Exteriores, según fuere el caso.

Detention of property as evidence in criminal case.

#### ARTÍCULO IV.

Las Altas Partes Contratantes concederán todas las facilidades necesarias, aduaneras y de cualquier otra clase, para que la persona o personas en cuyo favor se hubiese hecho la devolución, reciban la cosa devuelta y regresen con ella al territorio del país del cual procede la solicitud.

Customs, etc., facilities extended.

#### ARTÍCULO V.

Las Altas Partes Contratantes no impondrán derechos, multas u otras sanciones pecuniarias que graviten sobre la cosa detenida y devuelta conforme a los términos de esta Convención. Todos los gastos que se originen con motivo de la devolución y entrega de la cosa al país reclamante, serán por cuenta de la persona o personas que reciban los vehículos o las partes componentes de ellos, y tales persona o personas no tendrán derecho a reclamar indemnización de las autoridades que

No assessment of duties, penalties, etc.

Payment of expenses.

No claim for damages, etc.

nection with its seizure, detention and storage.      hubieren efectuado la detención, por daños sufridos por la cosa devuelta, con motivo de su persecución, detención y depósito.

ARTICLE VI.

ARTÍCULO VI.

Ratification.

The High Contracting Parties will ratify this Convention in accordance with the provisions of their respective Constitutions and the exchange of ratifications shall take place in the City of Mexico as soon as possible.

Las Altas Partes Contratantes ratificarán la presente Convención de conformidad con las disposiciones constitucionales respectivas, y el canje de ratificaciones se efectuará en la ciudad de México, tan pronto como sea posible.

Duration.

This Convention shall remain in force for one year from the date of exchange of ratifications. If upon the expiration of one year notice is not given by either High Contracting Party of the desire to terminate the same, it shall continue in force until thirty days after either party shall have given notice to the other of the desire to terminate it.

La presente Convención quedará en vigor por un año, a partir de la fecha en que se efectúe el canje de ratificaciones. Si a la expiración de este período de un año no fuere denunciada por cualquiera de las Altas Partes Contratantes, continuará en vigor hasta treinta días después de la fecha en que una de aquellas notifique a la otra su resolución de darla por terminada.

Signatures.

In witness whereof, the respective Plenipotentiaries have signed and affixed their seals to this Convention.

En testimonio de lo cual, los Plenipotenciarios arriba mencionados han firmado esta Convención, fijando sus sellos respectivos.

Done in duplicate, in English and Spanish, at Mexico City, this sixth day of the month of October one thousand nine hundred and thirty six.

Hecha por duplicado, en inglés y en español, en la ciudad de México, a los seis días del mes de octubre de mil novecientos treinta y seis.

JOSEPHUS DANIELS

EDUARDO HAY

[SEAL]

[SEAL]

Exchange of ratifications.

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in Mexico City on the nineteenth day of June, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of June in the year of our Lord one thousand nine hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

*Extradition treaty between the United States of America and Liechtenstein.  
Signed at Bern, May 20, 1936; ratification advised by the Senate, April  
27, 1937; ratified by the President, May 19, 1937; ratified by Liechten-  
stein, October 30, 1936; ratifications exchanged at Bern, June 28, 1937;  
proclaimed, July 8, 1937.*

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May 20, 1936  
[T. S. No. 915]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS an Extradition Treaty between the United States of America and the Principality of Liechtenstein was concluded and signed by their respective Plenipotentiaries at Bern on the twentieth day of May, one thousand nine hundred and thirty-six, the original of which Treaty, being in the English and German languages, is word for word as follows:

Extradition treaty  
with Liechtenstein.  
Preamble.

## EXTRADITION TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE PRINCIPALITY OF LIECHTENSTEIN.

**Contracting Powers.** The United States of America and the Principality of Liechtenstein, animated by the desire to promote the cause of justice, have agreed to conclude a treaty concerning the extradition of fugitives from justice between the two States and have appointed the following plenipotentiaries for this purpose:

**Plenipotentiaries.**

The President of the United States of America:

Mr. Hugh R. Wilson, Minister plenipotentiary and Envoy extraordinary of the United States of America in Switzerland,

His Serene Highness the Ruling Prince of Liechtenstein:

M. Giuseppe Morra, Federal Councillor and Head of the Federal Political Department, Berne,

who, after exchange of their full powers, found to be in good and due form, have agreed upon and concluded the following articles:

### ARTICLE I.

**Reciprocal delivery of persons charged with specified crimes.**

It is agreed that the Government of the United States of America and the Government of Liechtenstein shall, upon requisition duly made in accordance with the provisions of this Treaty, deliver up to justice any person who is charged with or has been convicted of any of the crimes or offenses specified in Article II of the present Treaty, if the punishable act was committed within the jurisdiction of one of the High Contracting Parties and the person seeks asylum in the territory of the other Party or is found there. Such extradition shall take place only on the basis of such evidence of criminality, as according to the laws of the place where the fugitive or the accused is found, would justify his arrest and commitment for trial, if the deed had been committed there.

### ARTICLE II.

**Extraditable crimes, etc.**

Such persons shall be delivered up, according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following punishable acts:

**Murder.**

1. Murder (including the crimes designated by the terms parricide, poisoning and infanticide), or intentional manslaughter.

**Malicious mayhem.**

2. Malicious mayhem or serious injury to the body, intentionally committed.

**Rape, etc.**

3. Rape, abortion and carnal knowledge of children under 15 years of age.

**Abduction.**

4. Abduction or detention of women or girls for immoral purposes.

**Bigamy.**

5. Bigamy.

**Arson.**

6. Arson.

**Damage, etc., to railroads.**

7. Intentional and unlawful destruction or obstruction of railroads where such acts endanger human life.



## AUSLIEFERUNGSVERTRAG ZWISCHEN DEN VEREINIGTEN STAATEN VON AMERIKA UND DEM FÜRSTENTUM LIECHTENSTEIN.

Die Vereinigten Staaten von Amerika und das Fürstentum Liechtenstein sind, von dem Wunsche geleitet, die Sache der Gerechtigkeit zu fördern, übereingekommen, einen Vertrag über die Auslieferung straffälliger Personen zwischen den beiden Staaten zu schliessen und haben zu diesem Zwecke folgende Bevollmächtigte ernannt:

Der Präsident der Vereinigten Staaten von Amerika:

Herrn Hugh R. WILSON, ausserordentlichen Gesandten und bevollmächtigten Minister der Vereinigten Staaten von Amerika in der Schweiz,

Seine Durchlaucht der Regierende Fürst von Liechtenstein:

Herrn Bundesrat Giuseppe MOTTA, Vorsteher des Eidgenössischen Politischen Departements, Bern,

die nach Austausch ihrer in guter und gehöriger Form befundenen Vollmachten die nachstehenden Artikel vereinbart und beschlossen haben:

### ARTIKEL I.

Es wird vereinbart, dass die Regierung der Vereinigten Staaten von Amerika und die Regierung von Liechtenstein auf ein nach den Bestimmungen dieses Vertrages gehörig gestelltes Ersuchen der Gerechtigkeit jede Person ausliefern sollen, die eines der im Artikel II des vorliegenden Vertrages aufgeführten Verbrechen oder Vergehen beschuldigt wird oder überführt wurde, sofern die Straftat im Bereiche der Gerichtsbarkeit eines der Hohen Vertragschliessenden Teile begangen wurde und die Person im Gebiete des andern Teiles Zuflucht sucht oder dort angetroffen wird. Eine derartige Auslieferung soll nur auf Grund solcher Schuldbeweise stattfinden, die nach den Gesetzen des Ortes, wo der Flüchtling oder der Beschuldigte angetroffen wird, seine Festnahme und Stellung vor Gericht rechtfertigen würden, wenn die Tat hier begangen worden wäre.

### ARTIKEL II.

Nach den Bestimmungen des vorliegenden Vertrages sollen jene Personen ausgeliefert werden, die einer der nachstehenden strafbaren Handlungen beschuldigt werden oder überführt sind:

1. Mord (unter Einschluss der durch die Ausdrücke Elternmord, Giftmord und Kindesmord bezeichneten Verbrechen), vorsätzliche Tötung.

2. Böswillige Körperverletzung oder vorsätzlich begangene schwere Schädigung des Körpers.

3. Notzucht, Abtreibung und Unzucht mit Kindern unter 15 Jahren.

4. Entführung oder Gefangenhaltung von Frauen oder Mädchen zu unsittlichen Zwecken.

5. Doppelehe.

6. Brandstiftung.

7. Vorsätzliche und gesetzwidrige, das menschliche Leben gefährdende Zerstörung oder Behinderung von Eisenbahnen.

Crimes committed  
at sea.  
Piracy.

Destruction, etc., of  
vessel.

Mutiny, etc.

Assault on ship-  
board.

Burglary.  
Unlawful entry of  
public offices.

Robbery.  
Forgery, etc., of  
documents.

Counterfeiting, etc.

Embezzlement.  
Kidnapping.

Larceny.

Obtaining money  
by false pretences.

Perjury.  
Breach of trust, etc.

Slavery or slave  
trade.

# 8. Crimes committed at sea:

- a) Piracy, in the current sense of the word and according to the definition in international or municipal law;
- b) unlawful sinking or destruction of a ship at sea, or attempt to perform such act;
- c) mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or to take possession of such vessel by fraud or violence;
- d) assault on board of a ship on the high seas, with intent to do bodily harm.

# 9. Burglary, breaking into a house.

10. Breaking into or forcing an entrance into the official premises of the Government or public authorities, or into other buildings, other than dwellings, with intent to commit a crime there.

# 11. Robbery.

# 12. Forgery of documents or the circulation of forged documents.

13. Forgery or falsification of official documents of the Government or public authorities including the courts, or the circulation or fraudulent use thereof.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of the public debt created by national, State, provincial, territorial, local or municipal administrations, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and other marks of State or public administration offices and the utterance, circulation or fraudulent use of the above-mentioned objects.

# 15. Embezzlement.

16. Kidnapping of minors or adults, defined to be the abduction or detention of one or more persons, in order to extort money from them, their families, or one or more other persons, or for any other unlawful purpose.

17. Larceny, that is the theft of articles, movable property or money of the value of twenty-five or more dollars or the equivalent thereof in Liechtenstein currency.

18. Obtaining money, securities or other property by false pretences or acceptance of money, securities or other property, knowing the same has been unlawfully obtained, when the amount of the money or the value of the property so acquired or accepted exceeds two hundred dollars or the equivalent thereof in Liechtenstein currency.

# 19. Perjury.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or official of a company or corporation, or by any person in a fiduciary position, when the amount of money or the value of the property misappropriated exceeds two hundred dollars or the equivalent thereof in Liechtenstein currency.

# 21. Crimes and offenses against the laws for the suppression of slavery or the slave trade.

## 8. Zur See verübte Verbrechen:

- a) Seeräuberei im landläufigen Sinne des Wortes und nach der völkerrechtlichen oder gesetzlichen Begriffsbestimmung;
- b) unrechtmässige Versenkung oder Zerstörung eines Schiffes zur See oder der Versuch hiezu;
- c) Meuterei oder Verschwörung zweier oder mehrerer Mitglieder der Besatzung oder anderer Personen an Bord eines auf hoher See befindlichen Fahrzeuges, um sich gegen die Befehlsgewalt des Kapitäns oder Kommandanten eines solchen Fahrzeuges zu empören oder um sich durch List oder Gewalt in den Besitz eines solchen Fahrzeuges zu setzen;
- d) Ueberfall an Bord eines Schiffes auf hoher See in der Absicht, körperlichen Schaden zuzufügen.

## 9. Einbruch, Eindringen in ein Haus.

10. Das Einbrechen und Eindringen in die Amtsräume der Regierung oder öffentlicher Behörden, oder in sonstige Gebäude, die nicht Wohnhäuser sind, in der Absicht, darin ein Verbrechen zu begehen.

## 11. Raub.

12. Fälschung von Urkunden oder Verbreitung gefälschter Urkunden.

13. Fälschung oder Verfälschung amtlicher Schriftstücke der Regierung oder öffentlichen Behörden einschliesslich der Gerichte oder deren Verbreitung oder betrügerische Benutzung.

14. Die Erzeugung von Falschgeld, sei es gemünztes oder Papiergeld, von gefälschten Stücken oder Coupons der öffentlichen Schuld, die von Bundes-, Staats-, Provinzial-, Territorial-, Lokal- oder städtischen Verwaltungen aufgenommen wurde, von Banknoten oder andern öffentlichen Kreditpapieren, gefälschten Siegeln, Stempeln, Prägestempeln und Marken staatlicher oder öffentlicher Verwaltungen und die Ausgabe, Verbreitung oder betrügerische Benützung der oben erwähnten Gegenstände.

## 15. Veruntreuung.

16. Raub von Minderjährigen oder Erwachsenen, das ist die Entführung oder Gefangenhaltung einer oder mehrerer Personen, um von ihnen, ihren Familien, oder einer oder mehreren andern Personen Geld zu erpressen, oder zu einem andern ungesetzlichen Zweck.

17. Diebstahl, das ist die Entwendung von Sachen, beweglichem Gut oder Geld im Werte von fünfundzwanzig oder mehr Dollar oder deren Gegenwert in liechtensteinischer Währung.

18. Erlangung von Geld, Wertpapieren oder anderem Vermögen auf Grund falscher Vorspiegelungen oder Annahme von Geld, Wertpapieren oder anderem Vermögen in Kenntnis des Umstandes, dass das Angenommene unrechtmässig erworben worden ist, wenn der auf diese Weise erworbene oder angenommene Geldbetrag oder Vermögenswert zweihundert Dollar oder deren Gegenwert in liechtensteinischer Währung übersteigt.

## 19. Meineid.

20. Unterschlagung oder Vertrauensmissbrauch seitens eines Verwahrers, Bankiers, Agenten, Kommissionärs, Treuhänders, Testamentsvollstreckers, Verwalters, Vormundes, Direktors oder Beamten einer Gesellschaft oder Körperschaft oder seitens irgend einer Person in Vertrauensstellung, wenn der Betrag oder Wert des widerrechtlich zugeeigneten Geldes oder Vermögens zweihundert Dollar oder deren Gegenwert in liechtensteinischer Währung übersteigt.

21. Verbrechen und Vergehen gegen die Gesetze zur Unterdrückung der Sklaverei und des Sklavenhandels.

Abandonment, etc.,  
of minor children.

Bribery.

Bankruptcy law  
violations.  
Narcotics traffic.

Use of mails for  
fraudulent purposes.  
Accessories, etc.

Application of laws  
with respect to desig-  
nated crimes, etc.

22. Wilful abandonment or wilful non-support of minor children or those unable to support themselves.

23. Bribery.

24. Crimes or offenses against the bankruptcy laws.

25. Crimes or offenses against the laws for suppression of the narcotics traffic.

26. Use of the mails for fraudulent purposes.

27. Extradition shall also take place for participation in any of the crimes or offenses beforementioned, before or after the commission thereof, or for an attempt to commit one of the beforementioned crimes or offenses.

With respect to the above-enumerated crimes and offenses it is agreed that when one of those crimes or offenses is not designated as such in the laws of one of the States, nevertheless the extradition shall take place when such crime or offense includes as an essential element an act which is designated as punishable, by the laws of the State in whose territory the fugitive is found.

### ARTICLE III.

Not applicable to  
political, etc., crimes.

Murder, etc., of  
head of State, etc., not  
a political crime.

The provisions of this Treaty shall not import a claim for extradition for a crime or offense of a political character nor for acts connected with such crimes or offenses, and no person surrendered under this Treaty by or to one of the High Contracting Parties shall be brought to trial or punished on account of a political crime or offense committed before his extradition. The State to which the application is made, or its courts, shall decide whether the act is of a political character. When the punishable act charged includes an accomplished or attempted murder, assassination, or poisoning, the fact that the act was accomplished or attempted against the life of the ruler or the supreme head of one of the High Contracting Parties or against the ruler or the supreme head of a foreign State or against the life of a member of the family of either of them shall not be deemed sufficient to sustain that the crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

### ARTICLE IV.

Trial limited to of-  
fense for which sur-  
rendered.

No person shall be tried for any crime or offense committed before his extradition other than that for which he was surrendered, unless he shall have been allowed one month to leave the country after having been tried, or one month in case of conviction after having paid the penalty or having been set at liberty.

### ARTICLE V.

Time limitation.

An accused person shall not be extradited, under the provisions of this Treaty, when, from lapse of time or other lawful cause under the laws of the State asking extradition, he is exempt from prosecution or punishment on account of the punishable act for which extradition is asked.

22. Böswilliges Verlassen oder böswilliges Nichterhalten minderjähriger oder nicht selbsterhaltungsfähiger Kinder.

23. Bestechung.

24. Verbrechen oder Vergehen gegen die Konkursgesetzgebung.

25. Verbrechen oder Vergehen gegen die Gesetze zur Unterdrückung des Handels mit Betäubungsmitteln.

26. Benützung der Post zu betrügerischen Zwecken.

27. Die Auslieferung soll auch stattfinden wegen Beteiligung an einem der vorgenannten Verbrechen oder Vergehen vor oder nach seiner Verübung oder wegen Versuchs eines der vorgenannten Verbrechen oder Vergehen.

Mit Bezug auf die vorstehend aufgezählten Verbrechen und Vergehen besteht Einverständnis und Einigung darüber, dass, wenn eines dieser Verbrechen oder Vergehen in den Gesetzen eines der Staaten nicht als solches bezeichnet ist, die Auslieferung wegen des in Frage kommenden Verbrechens oder Vergehens trotzdem stattfinden soll, wenn es als wesentlichen Bestandteil eine Handlung einschliesst, die durch die Gesetze des Staates, auf dessen Gebiet der Verfolgte antroffen wird, als strafbar bezeichnet wird.

### ARTIKEL III.

Die Bestimmungen dieses Vertrages sollen keinen Anspruch auf Auslieferung wegen Verbrechen oder Vergehen politischer Art oder wegen Handlungen, die mit derartigen Verbrechen oder Vergehen im Zusammenhang stehen, geben und keine Person, die kraft dieses Vertrages von einem oder an einen der Hohen Vertragschliessenden Teile ausgeliefert wurde, soll wegen eines vor ihrer Auslieferung begangenen politischen Verbrechens oder Vergehens vor Gericht gestellt oder bestraft werden. Der ersuchte Staat oder dessen Gerichte sollen entscheiden, ob die Tat politischer Art ist. Wenn die zur Last gelegte strafbare Tat einen vollbrachten oder versuchten Mord, Meuchelmord oder Giftmord in sich schliesst, soll der Umstand, dass die Tat gegen das Leben des Herrschers oder Oberhauptes eines der Hohen Vertragschliessenden Teile oder gegen den Herrscher oder das Oberhaupt eines fremden Staates oder gegen das Leben eines Mitgliedes der Familie des einen oder des andern von ihnen vollbracht oder versucht wurde, nicht als hinreichend angesehen werden, um zu behaupten, dass das Verbrechen oder Vergehen politischer Art oder eine Handlung war, die mit Verbrechen oder Vergehen politischer Art im Zusammenhang steht.

### ARTIKEL IV.

Keine Person soll wegen eines vor ihrer Auslieferung begangenen Verbrechens oder Vergehens, derentwegen die Auslieferung nicht erfolgt ist, vor Gericht gestellt werden, es sei denn, dass sie während eines Monats, nachdem sie vor Gericht gestellt gewesen war, oder für den Fall einer Verurteilung während eines Monats nach erfolgter Verbüssung der Strafe oder Begnadigung die Freiheit gehabt hat, das Land zu verlassen.

### ARTIKEL V.

Eine angeklagte Person soll nach den Bestimmungen dieses Vertrages nicht ausgeliefert werden, wenn wegen Zeitablaufs oder aus einem andern Rechtsgrunde nach den Gesetzen des ersuchenden Staates ihre Verfolgung oder Bestrafung wegen der strafbaren Handlung, derentwegen die Auslieferung verlangt wird, ausgeschlossen ist.

## ARTICLE VI.

Person under prosecution in country where found.

If an accused person whose extradition may be claimed pursuant to the provisions of this Treaty be actually under prosecution, out on bail, in custody or sentenced for a crime or offense committed in the State to which he has fled, his extradition may be deferred until such proceedings are brought to an end and until he shall have been set at liberty in due course of law.

## ARTICLE VII.

Person claimed by other Powers.

If the extradition of an accused person, which is requested by one of the two Contracting Parties, is also requested by one or more other powers, on the ground of treaty provisions, for crimes or offenses committed within their jurisdiction, the person must be surrendered to that State whose request was first received, unless it is withdrawn.

Existing treaties with other States not affected.

This Article shall not affect treaties which were already concluded by one of the Contracting Parties at a previous period with other States.

## ARTICLE VIII.

Neither country bound to deliver up its own citizens; exception.

Under the provisions of this Treaty, neither of the High Contracting Parties shall be bound to surrender its own citizens, with the exception of cases in which such citizenship has been acquired after commission of the crime for which extradition is sought. The decision as to whether the person whose extradition is requested is its own citizen, belongs to the State to which the application for requisition is made.

## ARTICLE IX.

Expenses of arrest, etc.

The cost of transporting the fugitive shall be borne by the Government which has made the request for extradition. The competent officials of the country in which the extradition proceedings are to take place shall assist the officials of the Government requesting the extradition before the judges and magistrates by every legal means at their disposal. The Government which requested the extradition is liable for reimbursement of costs only for the subsistence and lodging of the fugitive, which have arisen prior to the extradition through the arrest, detention, the investigation proceedings and the delivery of the fugitive. However, the officials of the surrendering Government who shall in the course of their duty, receive specified fees for the services performed, instead of other compensation or payment, shall be entitled to receive from the Government asking extradition, the customary fees for the acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the law of the country of which they are officers.

Officials of surrendering Government, compensation.

## ARTICLE X.

Articles seized with fugitive.

Everything found in the possession of an accused person, at the time of the arrest, if it is the proceeds of the crime or offense, or may be material as evidence, shall so far as practicable under the laws of the two High Contracting Parties be delivered up with his person at the time of surrender. Nevertheless, the rights of third persons with regard to the articles referred to shall be duly respected.

## ARTIKEL VI.

Wenn eine angeklagte Person, deren Auslieferung auf Grund der Bestimmungen dieses Vertrages verlangt werden kann, zurzeit wegen eines Verbrechens oder Vergehens, das im Zufluchtsstaate begangen worden ist, verfolgt wird, sich gegen Sicherheitsleistung auf freiem Fuss oder in Haft befindet, oder verurteilt worden ist, so kann ihre Auslieferung aufgeschoben werden, bis dieses Verfahren zu Ende geführt und sie von Rechts wegen auf freien Fuss gesetzt worden ist.

## ARTIKEL VII.

Wenn die Auslieferung einer angeklagten Person, die von einem der beiden Vertragsteile begehrt wird, auch von einer oder mehreren andern Mächten auf Grund von vertraglichen Bestimmungen wegen innerhalb ihrer Gerichtsbarkeit begangener Verbrechen oder Vergehen verlangt wird, ist die Person jenem Staate auszuliefern, dessen Begehren zuerst einlangte, es sei denn, dass dieses zurückgezogen wird.

Dieser Artikel soll Verträge nicht berühren, die schon zu einem frühern Zeitpunkte von einem der Vertragschliessenden Teile mit andern Staaten abgeschlossen worden sind.

## ARTIKEL VIII.

Nach den Bestimmungen dieses Vertrages soll keiner der Hohen Vertragschliessenden Teile verpflichtet sein, seine eigenen Staatsangehörigen auszuliefern, mit Ausnahme der Fälle, in denen diese Staatsangehörigkeit nach der Begehung des Verbrechens, derentwegen die Auslieferung nachgesucht wird, erworben worden ist. Der Beschluss darüber, ob die Person, deren Auslieferung verlangt wird, sein eigener Staatsangehöriger ist, kommt dem ersuchten Staate zu.

## ARTIKEL IX.

Die Kosten für die Ueberführung des Verfolgten werden von der Regierung getragen, die das Auslieferungsersuchen gestellt hat. Die zuständigen Beamten des Landes, in dem das Auslieferungsverfahren stattzufinden hat, sollen mit allen ihnen zur Verfügung stehenden gesetzlichen Mitteln den Beamten der ersuchenden Regierung Beistand vor den Richtern und Beamten gewähren. Die Regierung, welche die Auslieferung begehrt hat, ist zum Kostenersatz nur für die Verpflegung und Unterkunft des Verfolgten, die vor der Auslieferung durch die Festnahme, Festhaltung, das Prüfungsverfahren und die Uebergabe des Verfolgten entstanden sind, verpflichtet. Indessen sollen die Beamten der ausliefernden Regierung, die mitwirken, wenn sie im allgemeinen für ihre Dienstleistungen statt anderer Entschädigung oder Bezahlung feststehende Gebühren für die geleisteten Dienste bekommen, berechtigt sein, von der um Auslieferung ersuchenden Regierung die üblichen Gebühren für ihre Tätigkeit oder die geleisteten Dienste in derselben Weise und in derselben Höhe zu beanspruchen, wie sie sie für eine Tätigkeit oder Dienste, die sie in sonstigen Strafverfahren nach dem Rechte des Landes, in dem sie Beamte sind, erhalten.

## ARTIKEL X.

Alles was zur Zeit der Verhaftung einer angeklagten Person in ihrem Besitze gefunden wird, es mag aus dem Verbrechen oder Vergehen herkommen oder als Beweismittel von Bedeutung sein, soll, soweit dies nach den Gesetzen der beiden Hohen Vertragschliessenden Teile durchführbar ist, zugleich mit seiner Person bei der Auslieferung mitübergaben werden. Die Rechte dritter Personen in Ansehung der angeführten Gegenstände sollen jedoch berücksichtigt werden.

## ARTICLE XI.

## Territory affected.

The provisions of the present Treaty shall be applicable to all territory wherever situated, belonging to one of the High Contracting Parties, or in the occupancy or control of one of them, during such occupancy or control.

## Requisitions.

Requisitions for the extradition of fugitives from justice shall be made by the diplomatic representatives of the Contracting States. In the event of the absence of such representatives from the country or its seat of Government, or if extradition is sought from a territory outside of the United States of America or the Principality of Liechtenstein, in the manner specified in Article I, the requests may be made by superior consular officers.

## Arrest.

The arrest of the fugitive shall take place in accordance with the provisions of the laws of the States concerned. If, after examination on the basis of the provisions of law and the evidence, it is decided that the extradition must be granted under this Treaty, extradition of the fugitive shall be carried out in accordance with the legal regulations provided for such cases.

Release, if formal  
request not forthcoming;  
time limitation.

A person provisionally arrested shall be released, if, within two months counted from the day of opening the proceedings in the United States of America, and in Liechtenstein, from the day of the arrest, the formal requisition for surrender with the documentary evidence hereinafter described has not been made by the diplomatic representative of the Government making the request, or in his absence, by a consular officer thereof, in the above-mentioned manner.

## Papers required.

If the accused person has been sentenced for the crime or offense for which his extradition is requested, a duly authenticated copy of the sentence of the court which pronounced the sentence shall be produced. When the accused person is merely charged with a crime, a duly authenticated copy of the warrant for arrest issued in the State where the act was committed, shall be produced, with the proofs of guilt mentioned in Article I of this Treaty.

*Ante, p. 1338.*

## ARTICLE XII.

## Ratification.

This Treaty, the English and German texts of which are equally authoritative, shall be ratified by the High Contracting Parties in accordance with the constitutional provisions applicable to them and shall go into effect on the day of the exchange of the instruments of ratification, which shall take place at Berne as soon as possible.

## ARTICLE XIII.

## Duration.

This Treaty shall remain in force for a period of five years, and in case neither of the High Contracting Parties gives notice a year prior to the expiration of this period of its intention to terminate the Treaty, it shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties denounces it.

## Signatures.

In witness whereof the above-mentioned plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate at Berne on May twentieth, nineteen hundred and thirty six.

[SEAL]      HUGH R WILSON  
[SEAL]      MOTTA



## ARTIKEL XI.

Die Bestimmungen des vorliegenden Vertrages sollen auf alle wo immer gelegenen Gebiete anwendbar sein, die einem der Hohen Vertragschliessenden Teile angehören oder unter der Besetzung oder Kontrolle eines von ihnen stehen, solange die Besetzung oder Kontrolle dauert.

Anträge auf Auslieferung eines Verfolgten sollen von den diplomatischen Vertretern der vertragschliessenden Staaten gestellt werden. Sind solche Vertreter im Lande oder am Regierungssitze nicht vorhanden, oder wird die Auslieferung aus einem ausserhalb der Vereinigten Staaten von Amerika oder des Fürstentums Liechtenstein gelegenen Gebiete der im Artikel I bezeichneten Art nachgesucht, so können die Ersuchen von höhern Konsulatsbeamten gestellt werden.

Die Festnahme des Verfolgten geschieht nach Massgabe der Gesetze der betreffenden Staaten. Wenn nach einer Prüfung auf Grund der gesetzlichen Vorschriften und des Beweisergebnisses entschieden wird, dass die Auslieferung nach diesem Verträge gewährt werden muss, soll bei der Auslieferung des Verfolgten nach den für solche Fälle vorgesehenen gesetzlichen Bestimmungen verfahren werden.

Der vorläufig Verhaftete soll freigelassen werden, wenn nicht innerhalb von zwei Monaten, und zwar in den Vereinigten Staaten von Amerika vom Tage der Eröffnung des Verfahrens, in Liechtenstein vom Tage der Festnahme an gerechnet, das förmliche Auslieferungsersuchen mit den unten vorgeschriebenen urkundlichen Unterlagen vom diplomatischen Vertreter der ersuchenden Regierung oder in seiner Abwesenheit von einem ihrer Konsularbeamten in der vorerwähnten Weise gestellt wird.

Wenn die angeklagte Person wegen des Verbrechens oder Vergehens, derentwegen ihre Auslieferung verlangt wird, verurteilt worden ist, muss eine gehörig beglaubigte Abschrift des Urteils des Gerichts, das die Verurteilung ausgesprochen hat, beigebracht werden. Wenn aber der Angeklagte eines Verbrechens nur beschuldigt wird, muss eine gehörig beglaubigte Abschrift des in dem Staate, wo die Tat begangen wurde, erlassenen Haftbefehls zusammen mit den in Artikel I dieses Vertrages erwähnten Schuldbeweisen beigebracht werden.

## ARTIKEL XII.

Dieser Vertrag, dessen englischer und deutscher Wortlaut in gleicher Weise massgebend sind, soll von den Hohen Vertragschliessenden Teilen gemäss den für sie geltenden verfassungsrechtlichen Vorschriften ratifiziert werden und am Tage des Austausches der Ratifikationsurkunden, der möglichst bald in Bern stattfinden soll, in Kraft treten.

## ARTIKEL XIII.

Dieser Vertrag soll für einen Zeitraum von fünf Jahren in Kraft bleiben, und falls keiner der Hohen Vertragschliessenden Teile ein Jahr vor dem Ablauf dieses Zeitraumes seine Absicht kundgibt, den Vertrag zu kündigen, soll er weiter in Kraft bleiben bis zum Ablaufe eines Jahres von dem Tage an, an dem einer der Hohen Vertragschliessenden Teile ihn kündigt.

Zu Urkund dessen haben die oben bezeichneten Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen.

Geschehen in doppelter Ausfertigung zu Bern am zwanzigsten Mai neunzehnhundertsechunddreissig.

[SEAL]	HUGH R WILSON
[SEAL]	MOTTA

Ratifications  
exchanged.

AND WHEREAS the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Bern on the twenty-eighth day of June, one thousand nine hundred and thirty-seven;

Proclamation.

Now, ~~THEREFORE~~, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighth day of July in the year of our Lord one thousand nine hundred and thirty-  
[SEAL] seven and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Supplementary extradition treaty between the United States of America and Rumania. Signed at Bucharest, November 10, 1936; ratification advised by the Senate, April 27, 1937; ratified by the President, May 19, 1937; ratified by Rumania, July 7, 1937; ratifications exchanged at Bucharest, July 27, 1937; proclaimed, July 30, 1937.*

November 10, 1936  
[T. S. No. 916]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a supplementary extradition treaty between the United States of America and the Kingdom of Rumania was concluded and signed by their respective Plenipotentiaries at Bucharest, on the tenth day of November, one thousand nine hundred and thirty-six, the original of which supplementary extradition treaty, being in the English and French languages is word for word as follows:

Supplementary extradition treaty with Rumania.  
Preamble.

The United States of America and The Kingdom of Rumania judging it necessary to conclude an additional treaty to the treaty of extradition signed at Bucharest on July 23, 1924, to complete the cases in which extradition is granted between the two States, have appointed for this purpose as plenipotentiaries as follows:

The President of the United States of America:

Mr. Leland Harrison, Envoy Extraordinary and Minister Plenipotentiary of the United States in Rumania; and

His Majesty The King of Rumania:

Mr. Victor Bădulescu, Under Secretary for Foreign Affairs;

Who, after having exchanged their credentials, recognized in due and good form, have agreed to the following provisions:

#### ARTICLE I.—

The crimes and offenses which follow are added to Article II of the above mentioned treaty, for which extradition may be granted, that is:

24. Crimes and offenses against the bankruptcy laws.

#### ARTICLE II.—

The present treaty will be considered as forming an integral part of the treaty of July 23, 1924, and,

Les Etats-Unis d'Amérique et le Royaume de Roumanie, jugeant nécessaire de conclure un traité additionnel du traité d'extradition signé à Bucarest le 23 Juillet 1924, pour compléter les cas dans lesquels l'extradition est accordée entre les deux Etats, ont nommé à ces fins comme plenipotentiaries, savoir:

Le Président des Etats-Unis d'Amérique:

M. Leland Harrison, Envoyé extraordinaire et Ministre plenipotentiare des Etats-Unis en Roumanie; et

Sa Majesté le Roi de Roumanie:

M. Victor Bădulescu, Sous-Secrétaire d'Etat aux Affaires Etrangères;

Lesquels, après avoir échangé leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

#### ARTICLE I.—

Les crimes et délits qui suivent sont ajoutés à l'art. II du traité ci-dessus mentionné, pour lesquels l'extradition peut être accordée, savoir:

24. Les crimes et les délits contre les lois de la faillite.

#### ARTICLE II.—

Le présent traité sera considéré comme faisant partie intégrante du traité du 23 Juillet 1924,

Contracting Powers.

44 Stat. 2020.

Plenipotentiaries.

Addition to extraditable crimes, etc.

Crimes, etc., against bankruptcy laws.

Considered part of former treaty.

44 Stat. 2024.

consequently, the list in Article II shall be so completed that point 24 of the principal treaty shall become point 25.—

et, en conséquence, la liste de l'art. II sera complétée de la sorte que le point 24, du traité principal, devienne le point 25.—

## ARTICLE III.—

## ARTICLE III.—

Ratification.

The present treaty shall be ratified by the High Contracting Parties according to their respective constitutional provisions and will come into force on the day of exchange of ratifications, which will take place at Bucharest as soon as possible.

Le présent traité sera ratifié par les Hautes Parties contractantes conformément aux dispositions constitutionnelles respectives et deviendra exécutoire le jour de l'échange des ratifications, qui aura lieu, aussitôt que faire se pourra, à Bucarest.

## ARTICLE IV.—

## ARTICLE IV.—

Duration.

The present treaty will be in force for the duration of enforcement of the treaty of July 23, 1924, and their application will cease at the same time.

Le présent traité restera en vigueur pendant toute la durée que sera en vigueur le traité du 23 Juillet 1924 et leur application cessera en même temps.

Signatures.

In witness whereof the above-named plenipotentiaries have signed the present treaty, drawn up in the English language and in the French language, and have hereunto affixed their seals.

En foi de quoi les Plénipotentiaires susnommés ont signé le présent traité, rédigé en langue anglaise et en langue française, et y ont apposé leurs sceaux.

Done in duplicate, at Bucharest, the tenth day of the month of November 1936.

Fait en double, à Bucarest, le dixième jour du mois de Novembre 1936.

[SEAL] LELAND HARRISON.

[SEAL] VICTOR BADULESCU

Ratifications exchanged.

AND WHEREAS the said supplementary extradition treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Bucharest, on the twenty-seventh day of July, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary extradition treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of July in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Convention between the United States of America and Canada revising the convention for the preservation of halibut fishery of Northern Pacific Ocean and Bering Sea. Signed at Ottawa, January 29, 1937; ratification advised by the Senate, March 23, 1937; ratified by the President, March 29, 1937; ratified by His Majesty in respect of Canada, June 26, 1937; ratifications exchanged at Ottawa, July 28, 1937; proclaimed, August 4, 1937.*

January 29, 1937  
[T. S. No. 917]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a Convention between the United States of America and Canada, revising the Convention for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed at Ottawa May 9, 1930, was concluded and signed by their respective Plenipotentiaries at Ottawa, on the twenty-ninth day of January, one thousand nine hundred and thirty-seven, the original of which Convention is word for word as follows:

Halibut fishery,  
Northern Pacific  
Ocean and Bering Sea.  
Convention with  
Canada.  
Preamble.  
47 Stat. 1872.

The President of the United States of America,  
And His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada,

Contracting  
Powers.

Desiring to provide more effectively for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, have resolved to conclude a convention revising the convention for the preservation of that fishery signed on their behalf at Ottawa on May 9, 1930, and have named as their plenipotentiaries for that purpose,

Plenipotentiaries.

The President of the United States of America:

Norman Armour, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada; and

His Majesty, for the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Secretary of State for External Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I

The nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, respectively, are hereby prohibited from fishing for halibut (*Hippoglossus*) both in the territorial waters and in the high seas off the western coasts of the United States of America, including the southern as well as the western coasts of Alaska, and of Canada, from the first day of November next after the date of the exchange of ratifications of this Convention to the fifteenth day of the following February, both days inclusive, and within the same period yearly thereafter.

Halibut fishing.  
Closed seasons and  
prohibited waters.

The International Fisheries Commission provided for by Article III is hereby empowered, subject to the approval of the President of the United States of America and of the Governor General of

International Fish-  
eries Commission,  
powers, etc.

Canada, to suspend or change the closed season provided for by this Article, as to part or all of the convention waters, when it finds after investigation such suspensions or changes are necessary, and to permit, limit, regulate and prohibit in any area or at any time when fishing for halibut is prohibited, the taking, retention and landing of halibut caught incidentally to fishing for other species of fish, and the possession during such fishing of halibut of any origin.

Halibut incidentally taken.

Other fishing not affected.

It is understood that nothing contained in this Convention shall prohibit the nationals or inhabitants or the fishing vessels or boats of the United States of America or of Canada, from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this Convention or by any regulations adopted in pursuance of its provisions.

Fishing operations for investigation purposes.

It is further understood that nothing contained in this Convention shall prohibit the International Fisheries Commission from conducting fishing operations for investigation purposes at any time.

## ARTICLE II

Seizures for violations.

Every national or inhabitant, vessel or boat of the United States of America or of Canada engaged in halibut fishing on the high seas in violation of this Convention or of any regulation adopted under the provisions thereof may be seized by the duly authorized officers of either High Contracting Party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Convention, or any regulations which may be adopted in pursuance of its provisions, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Prosecutions.

Responsibility for observance.

Each High Contracting Party shall be responsible for the proper observance of this Convention, or of any regulation adopted under the provisions thereof, in the portion of its waters covered thereby.

## ARTICLE III

International Fisheries Commission, continuance.

43 Stat. 1841; 47 Stat. 1872.

The High Contracting Parties agree to continue under this Convention the Commission as at present constituted and known as the International Fisheries Commission, established by the Convention for the preservation of the halibut fishery, signed at Washington, March 2, 1923, and continued under the Convention signed at Ottawa, May 9, 1930, consisting of four members, two appointed by each Party, which Commission shall make such investigations as are necessary into the life history of the halibut in the convention waters and shall publish a report of its activities from time to time. Each of the High Contracting Parties shall have power to fill, and shall fill from time to time, vacancies which may occur in its representation on the Commission. Each of the High Contracting Parties shall pay the salaries and expenses of its own members, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

Filling vacancies.

Salaries and expenses.

The High Contracting Parties agree that for the purposes of protecting and conserving the halibut fishery of the Northern Pacific Ocean and Bering Sea, the International Fisheries Commission, with the approval of the President of the United States of America and of the Governor General of Canada, may, in respect of the nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, from time to time,

Administrative provisions.

(a) divide the convention waters into areas;

(b) limit the catch of halibut to be taken from each area within the season during which fishing for halibut is allowed;

(c) prohibit departure of vessels from any port or place, or from any receiving vessel or station, to any area for halibut fishing, after any date when in the judgment of the International Fisheries Commission the vessels which have departed for that area prior to that date or which are known to be fishing in that area shall suffice to catch the limit which shall have been set for that area under section (b) of this paragraph;

(d) fix the size and character of halibut fishing appliances to be used in any area;

(e) make such regulations for the licensing and departure of vessels and for the collection of statistics of the catch of halibut as it shall find necessary to determine the condition and trend of the halibut fishery and to carry out the other provisions of this Convention;

(f) close to all halibut fishing such portion or portions of an area or areas as the International Fisheries Commission find to be populated by small, immature halibut.

#### ARTICLE IV

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and any regulations adopted thereunder, with appropriate penalties for violations thereof.

Enactment, etc., of effective legislation.

#### ARTICLE V

The present Convention shall remain in force for a period of five years and thereafter until two years from the date when either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

Duration.

This Convention shall, from the date of the exchange of ratifications, be deemed to supplant the Convention for the preservation of the halibut fishery signed at Ottawa, May 9, 1930.

Former Convention superseded.  
47 Stat. 1872.

#### ARTICLE VI

This Convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. The ratifications shall be exchanged at Ottawa as soon as practicable, and the Convention shall come into force on the day of the exchange of ratifications.

Ratification.

In faith whereof, the respective plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Signatures.

Done at Ottawa on the twenty-ninth day of January, in the year one thousand nine hundred and thirty-seven.

NORMAN ARMOUR  
W. L. MACKENZIE KING

[SEAL]  
[SEAL]

Ratifications exchanged.

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Ottawa, on the twenty-eighth day of July, one thousand nine hundred and thirty-seven;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourth day of August in the year of our Lord one thousand nine hundred and thirty-  
[SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*



*Convention between the United States of America and Canada and protocol of exchange of ratifications concerning the sockeye salmon fisheries. Signed at Washington, May 26, 1930; ratification advised by the Senate, subject to understandings, June 16, 1936; ratified by the President, subject to the said understandings, July 23, 1937; ratified by His Majesty in respect of Canada, June 26, 1937; ratifications exchanged at Washington, July 28, 1937; proclaimed, August 4, 1937.*

May 26, 1930  
[T. S. No. 918]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a Convention between the United States of America and Canada for the protection, preservation and extension of the sockeye salmon fishery of the Fraser River system was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-sixth day of May, one thousand nine hundred and thirty, the original of which Convention is word for word as follows:

Convention with  
Canada concerning  
the sockeye salmon  
fisheries.  
Preamble.

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, recognizing that the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River system are of common concern to the United States of America and the Dominion of Canada; that the supply of this fish in recent years has been greatly depleted and that it is of importance in the mutual interest of both countries that this source of wealth should be restored and maintained, have resolved to conclude a Convention and to that end have named as their respective plenipotentiaries:

Contracting  
Powers.

The President of the United States of America: Mr. Henry L. Stimson, Secretary of State of the United States of America; and

Plenipotentiaries.

His Majesty, for the Dominion of Canada: The Honorable Vincent Massey, a member of His Majesty's Privy Council for Canada and His Envoy Extraordinary and Minister Plenipotentiary for Canada at Washington;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

#### ARTICLE I

The provisions of this Convention and the orders and regulations issued under the authority thereof shall apply, in the manner and to the extent hereinafter provided in this Convention, to the following waters:

Geographical limits

1. The territorial waters and the high seas westward from the western coast of the United States of America and the Dominion of Canada and from a direct line drawn from Bonilla Point, Vancouver Island, to the lighthouse on Tatoosh Island, Washington,—which line marks the entrance to Juan de Fuca Strait,—and embraced between 48 and 49 degrees north latitude, excepting therefrom, however, all the waters of Barklay Sound, eastward of a straight line drawn from Amphitrite Point to Cape Beale and all the waters of Nitinat Lake and the entrance thereto.

2. The waters included within the following boundaries :

Beginning at Bonilla Point, Vancouver Island, thence along the aforesaid direct line drawn from Bonilla Point to Tatoosh Lighthouse, Washington, described in paragraph numbered 1 of this Article, thence to the nearest point of Cape Flattery, thence following the southerly shore of Juan de Fuca Strait to Point Wilson, on Quimper Peninsula, thence in a straight line to Point Partridge on Whidbey Island, thence following the western shore of the said Whidbey Island, to the entrance to Deception Pass, thence across said entrance to the southern side of Reservation Bay, on Fidalgo Island, thence following the western and northern shore line of the said Fidalgo Island to Swinomish Slough, crossing the said Swinomish Slough, in line with the track of the Great Northern Railway, thence northerly following the shore line of the mainland to Atkinson Point at the northerly entrance to Burrard Inlet, British Columbia, thence in a straight line to the southern end of Bowen Island, thence westerly following the southern shore of Bowen Island to Cape Roger Curtis, thence in a straight line to Gower Point, thence westerly following the shore line to Welcome Point on Seachelt Peninsula, thence in a straight line to Point Young on Lasqueti Island, thence in a straight line to Dorcas Point on Vancouver Island, thence following the eastern and southern shores of the said Vancouver Island to the starting point at Bonilla Point, as shown on the United States Coast and Geodetic Survey Chart Number 6300, as corrected to March 14, 1930, and on the British Admiralty Chart Number 579, copies of which are annexed to this Convention and made a part thereof.

Fraser River and tributary waters.

3. The Fraser River and the streams and lakes tributary thereto.

The High Contracting Parties engage to have prepared as soon as practicable charts of the waters described in this Article, with the above described boundaries thereof and the international boundary indicated thereon. Such charts, when approved by the appropriate authorities of the Governments of the United States of America and the Dominion of Canada, shall be considered to have been substituted for the charts annexed to this Convention and shall be authentic for the purposes of the Convention.

Establishment of buoys, etc.

The High Contracting Parties further agree to establish within the territory of the United States of America and the territory of the Dominion of Canada such buoys and marks for the purposes of this Convention as may be recommended by the Commission hereinafter authorized to be established, and to refer such recommendations as the Commission may make as relate to the establishment of buoys or marks at points on the international boundary to the International Boundary Commission, United States-Alaska and Canada, for action pursuant to the provisions of the Treaty between the United States of America and His Majesty, in respect of Canada, respecting the boundary between the United States of America and the Dominion of Canada, signed February 24, 1925.

ARTICLE II

International Pacific Salmon Fisheries Commission.  
Establishment, membership, etc.

The High Contracting Parties agree to establish and maintain a Commission to be known as the International Pacific Salmon Fisheries Commission, hereinafter called the Commission, consisting of six members, three on the part of the United States of America and three on the part of the Dominion of Canada.

Commissioners.

The Commissioners on the part of the United States of America shall be appointed by the President of the United States of America. The Commissioners on the part of the Dominion of Canada shall be appointed by His Majesty on the recommendation of the Governor General in Council.

The Commissioners appointed by each of the High Contracting Parties shall hold office during the pleasure of the High Contracting Party by which they were appointed.

The Commission shall continue in existence so long as this Convention shall continue in force, and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made. Each High Contracting Party shall pay the salaries and expenses of its own Commissioners, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

Duration, etc., of  
Commission.

### ARTICLE III

The Commission shall make a thorough investigation into the natural history of the Fraser River sockeye salmon, into hatchery methods, spawning ground conditions and other related matters. It shall conduct the sockeye salmon fish cultural operations in the waters described in paragraphs numbered 2 and 3 of Article I of this Convention, and to that end it shall have power to improve spawning grounds, construct, and maintain hatcheries, rearing ponds and other such facilities as it may determine to be necessary for the propagation of sockeye salmon in any of the waters covered by this Convention, and to stock any such waters with sockeye salmon by such methods as it may determine to be most advisable. The Commission shall also have authority to recommend to the Governments of the High Contracting Parties removing or otherwise overcoming obstructions to the ascent of sockeye salmon, that may now exist or may from time to time occur, in any of the waters covered by this Convention, where investigation may show such removal of or other action to overcome obstructions to be desirable. The Commission shall make an annual report to the two Governments as to the investigations which it has made and other action which it has taken in execution of the provisions of this Article, or of other Articles of this Convention.

Fraser River sock-  
eye salmon, investiga-  
tion, etc.

Recommendation.

Annual report.

Division of cost.

Annual appropri-  
ations.

The cost of all work done pursuant to the provisions of this Article, or of other Articles of this Convention, including removing or otherwise overcoming obstructions that may be approved, shall be borne equally by the two Governments, and the said Governments agree to appropriate annually such money as each may deem desirable for such work in the light of the reports of the Commission.

### ARTICLE IV

The Commission is hereby empowered to limit or prohibit taking sockeye salmon in respect of all or any of the waters described in Article I of this Convention, provided that when any order is adopted by the Commission limiting or prohibiting taking sockeye salmon in any of the territorial waters or on the High Seas described in paragraph numbered 1 of Article I, such order shall extend to all such territorial waters and High Seas, and, similarly, when in any of the waters of the United States of America embraced in paragraph numbered 2 of Article I, such order shall extend to all such waters of the United States of America, and when in any of the Canadian waters embraced in paragraphs numbered 2 and 3 of Article I, such order shall extend to all such Canadian waters, and provided further, that no order limiting or prohibiting taking sockeye salmon adopted by the Commission shall be construed to suspend or otherwise affect the requirements of the laws of the State of Washington or of the Dominion of Canada as to the procuring of a license to fish in the

Powers of Commis-  
sion to limit, etc.,  
take in waters desig-  
nated.

License laws of  
Washington and Can-  
ada.

*Ante*, p. 1355.

Application of order.

waters on their respective sides of the boundary, or in their respective territorial waters embraced in paragraph numbered 1 of Article I of this Convention, and provided further that any order adopted by the Commission limiting or prohibiting taking sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Duration.

Any order adopted by the Commission limiting or prohibiting taking sockeye salmon in the waters covered by this Convention, or any part thereof, shall remain in full force and effect unless and until the same be modified or set aside by the Commission. Taking sockeye salmon in said waters in violation of an order of the Commission shall be prohibited.

#### ARTICLE V

Fishing gear and appliances.

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the Commission may prescribe the size of the meshes in all fishing gear and appliances that may be operated during said season in the waters of the United States of America and/or the Canadian waters described in Article I of this Convention. At all seasons of the year the Commission may prescribe the size of the meshes in all salmon fishing gear and appliances that may be operated on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, provided, however, that in so far as concerns the High Seas, requirements prescribed by the Commission under the authority of this paragraph shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Whenever, at any other time than the spring or chinook salmon fishing season, the taking of sockeye salmon in waters of the United States of America or in Canadian waters is not prohibited under an order adopted by the Commission, any fishing gear or appliance authorized by the State of Washington may be used in waters of the United States of America by any person thereunto authorized by the State of Washington, and any fishing gear or appliance authorized by the laws of the Dominion of Canada may be used in Canadian waters by any person thereunto duly authorized. Whenever the taking of sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention is not prohibited, under an order adopted by the Commission, to the nationals or inhabitants or vessels or boats of the United States of America or the Dominion of Canada, only such salmon fishing gear and appliances as may have been approved by the Commission may be used on such High Seas by said nationals, inhabitants, vessels or boats.

#### ARTICLE VI

Necessary vote for action.

No action taken by the Commission under the authority of this Convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners of each High Contracting Party.

#### ARTICLE VII

Equal shares agreed to.

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely nonexistent, it is agreed by the High Contracting Parties that they should share equally in the fishery. The Commission shall, consequently, regulate the fishery with a view to allowing,

as nearly as may be practicable, an equal portion of the fish that may be caught each year to be taken by the fishermen of each High Contracting Party.

#### ARTICLE VIII

Each High Contracting Party shall be responsible for the enforcement of the orders and regulations adopted by the Commission under the authority of this Convention, in the portion of its waters covered by the Convention.

Enforcement of orders, etc., in Convention waters.

Except as hereinafter provided in Article IX of this Convention, each High Contracting Party shall be responsible, in respect of its own nationals and inhabitants and vessels and boats, for the enforcement of the orders and regulations adopted by the Commission, under the authority of this Convention, on the High Seas embraced in paragraph numbered 1 of Article I of the Convention.

On the High Seas.

Each High Contracting Party shall acquire and place at the disposition of the Commission any land within its territory required for the construction and maintenance of hatcheries, rearing ponds, and other such facilities as set forth in Article III.

Sites for hatcheries, etc.

#### ARTICLE IX

Every national or inhabitant, vessel or boat of the United States of America or of the Dominion of Canada, that engages in sockeye salmon fishing on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, in violation of an order or regulation adopted by the Commission, under the authority of this Convention, may be seized and detained by the duly authorized officers of either High Contracting Party, and when so seized and detained shall be delivered by the said officers, as soon as practicable, to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon with the competent authorities. The authorities of the country to which a person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of any order or regulation, adopted by the Commission in respect of fishing for sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, or of any law or regulation which either High Contracting Party may have made to carry such order or regulation of the Commission into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Penalty provisions.

#### ARTICLE X

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and the orders and regulations adopted by the Commission under the authority thereof, with appropriate penalties for violations.

Enactment, etc., of necessary legislation.

#### ARTICLE XI

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty in accordance with constitutional practice, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as

Ratification.

Effective date.

Duration.

soon as possible and shall continue in force for a period of sixteen years, and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

Signatures.

In witness whereof, the respective plenipotentiaries have signed the present Convention, and have affixed their seals thereto.

Done in duplicate at Washington on the twenty-sixth day of May, one thousand nine hundred and thirty.

[SEAL]      HENRY L STIMSON  
[SEAL]      VINCENT MASSEY

Ratifications exchanged.

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-eighth day of July, one thousand nine hundred and thirty-seven;

Understandings by United States of America.

AND WHEREAS the said Convention was ratified by the United States of America subject to three understandings, made a part of the ratification, as follows:

(1) That the International Pacific Salmon Fisheries Commission shall have no power to authorize any type of fishing gear contrary to the laws of the State of Washington or the Dominion of Canada;

(2) That the Commission shall not promulgate or enforce regulations until the scientific investigations provided for in the convention have been made, covering two cycles of Sockeye Salmon runs, or eight years; and

(3) That the Commission shall set up an Advisory Committee composed of five persons from each country who shall be representatives of the various branches of the industry (purse seine, gill net, troll, sport fishing, and one other), which Advisory Committee shall be invited to all non-executive meetings of the Commission and shall be given full opportunity to examine and to be heard on all proposed orders, regulations or recommendations.

Acceptance by Canada.

AND WHEREAS the aforesaid three understandings have been accepted by the Government of Canada, as is recorded in the Protocol of Exchange of ratifications of the said Convention;

Post, p. 1361.

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the three understandings herein recited.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourth day of August in the year of our Lord one thousand nine hundred and thirty-

[SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

## PROTOCOL OF EXCHANGE

The undersigned the Secretary of State of the United States of America and the Canadian Minister at Washington met this day for the purpose of exchanging ratifications of the convention between the United States of America and Canada for the protection, preservation and extension of the sockeye salmon fisheries of the Fraser River System, signed at Washington on May 26, 1930.

The Secretary of State of the United States of America stated that the convention is ratified on the part of the United States of America subject to the three understandings contained in the resolution of the Senate of the United States of America advising and consenting to ratification, a copy of which resolution was communicated to the Secretary of State for External Affairs of Canada by the Minister of the United States of America at Ottawa in his note of July 7, 1936. These three understandings are as follows:

(1) That the International Pacific Salmon Fisheries Commission shall have no power to authorize any type of fishing gear contrary to the laws of the State of Washington or the Dominion of Canada;

(2) That the Commission shall not promulgate or enforce regulations until the scientific investigations provided for in the convention have been made, covering two cycles of Sockeye Salmon runs, or eight years; and

(3) That the Commission shall set up an Advisory Committee composed of five persons from each country who shall be representatives of the various branches of the industry (purse seine, gill net, troll, sport fishing, and one other), which Advisory Committee shall be invited to all non-executive meetings of the Commission and shall be given full opportunity to examine and to be heard on all proposed orders, regulations or recommendations.

The Canadian Minister stated that he was authorized by his Government to state that it accepted the foregoing understandings.

The exchange then took place in the usual manner.

IN WITNESS WHEREOF they have signed the present protocol and have affixed their seals hereto.

Done at Washington this twenty-eighth day of July, 1937.

CORDELL HULL [SEAL]

*Secretary of State  
of the United States of America*

HERBERT M MARLER. [SEAL]

*Canadian Minister*

*Treaty between the United States of America and other powers for the limitation of naval armament, together with protocol of signature and additional protocol. Signed at London, March 25, 1936; ratification advised by the Senate, May 18, 1936; ratified by the President of the United States, May 28, 1936; instruments of ratification deposited at London by the United States of America, July 2, 1936; the Republic of France, June 24, 1937; the United Kingdom of Great Britain and Northern Ireland, July 29, 1937; the Dominion of Canada, July 29, 1937; the Commonwealth of Australia, July 29, 1937; the Dominion of New Zealand, July 29, 1937; and India, July 29, 1937; proclaimed, August 6, 1937.*

March 25, 1936

[T. S. No. 919]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a Treaty for the limitation of naval armament and the exchange of information concerning naval construction, between the President of the United States of America, the President of the French Republic, and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the seas, Emperor of India, for Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; for the Dominion of Canada; for the Commonwealth of Australia; for the Dominion of New Zealand; and for India; was signed by their respective Plenipotentiaries at London on March 25, 1936, together with a Protocol of Signature and an Additional Protocol, true copies of which Treaty, Protocol of Signature and Additional Protocol, in the French and English languages, are word for word as follows:

Treaty with other Powers for limitation, etc., of naval armament.  
Preamble.

Protocol of signature, etc.



Le Président des Etats-Unis d'Amérique, le Président de la République Française et Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes,

Soucieux de réduire les charges et de prévenir les dangers inhérents à une rivalité d'armements navals,

Désireux, en raison de l'expiration prochaine du Traité pour la limitation des armements navals signé à Washington le 6 février 1922 et du Traité pour la limitation et la réduction des armements navals signé à Londres le 22 avril 1930 (sa partie IV exceptée), de prendre des dispositions pour la limitation des armements navals ainsi que pour l'échange de renseignements concernant les constructions navales,

Ont résolu de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

L'Honorable Norman H. Davis;

L'Amiral William H. Standley, Chef des opérations navales de la Marine des Etats-Unis;

Le Président de la République Française:

Son Excellence M. Charles Corbin, Ambassadeur Extraordinaire et Plénipotentiaire de la République Française auprès de la Cour de St. James;

Le Vice-Amiral Georges Robert, Membre du Conseil Supérieur de la Marine, Inspecteur général des Forces Maritimes de la Méditerranée;

Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes:

pour la Grande-Bretagne et l'Irlande du Nord et toutes les parties de l'Empire Britannique qui ne sont pas individuellement Membres de la Société des Nations:

Le Très Honorable Anthony Eden, M. C., M. P., Son Principal Secrétaire d'Etat pour les Affaires Etrangères;

Le Très Honorable Vicomte Monsell, G. B. E., Premier Lord de Son Amirauté;

Le Lieutenant-Colonel Comte Stanhope, K. G., D. S. O., M. C., D. L., Sous Secrétaire d'Etat pour les Affaires Etrangères;

pour le Dominion du Canada:

L'Honorable Vincent Massey, Haut-Commissaire du Dominion du Canada à Londres;

pour le Commonwealth d'Australie:

Le Très Honorable Stanley Melbourne Bruce, C. H., M. C., Haut-Commissaire du Commonwealth d'Australie à Londres;

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir Christopher James Parr, G. C. M. G., Haut-Commissaire du Dominion de la Nouvelle-Zélande à Londres;

pour l'Inde:

M. Richard Austen Butler, M. P., Sous-Secrétaire d'Etat parlementaire pour l'Inde;

The President of the United States of America, the President of the French Republic and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India;

Contracting Powers.

Desiring to reduce the burdens and prevent the dangers inherent in competition in naval armament;

Desiring, in view of the forthcoming expiration of the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, and of the Treaty for the Limitation and Reduction of Naval Armament signed in London on the 22nd April, 1930 (save for Part IV thereof), to make provision for the limitation of naval armament, and for the exchange of information concerning naval construction;

43 Stat. 1655.

46 Stat. 2858.

Have resolved to conclude a Treaty for these purposes and have appointed as their Plenipotentiaries:—

Plenipotentiaries.

The President of the United States of America:

The Honourable Norman H. Davis;

Admiral William H. Standley, United States Navy, Chief of Naval Operations;

The President of the French Republic:

His Excellency Monsieur Charles Corbin, Ambassador Extraordinary and Plenipotentiary of the French Republic at the Court of St. James;

Vice-Admiral Georges Robert, Member of the Supreme Naval Council, Inspector-General of the Naval Forces in the Mediterranean;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Anthony Eden, M. C., M. P., His Principal Secretary of State for Foreign Affairs;

The Right Honourable Viscount Monsell, G. B. E., First Lord of His Admiralty;

Lieutenant-Colonel the Earl Stanhope, K. G., D. S. O., M. C., D. L., Parliamentary Under Secretary of State for Foreign Affairs;

for the Dominion of Canada:

The Honourable Vincent Massey, High Commissioner for the Dominion of Canada in London;

for the Commonwealth of Australia:

The Right Honourable Stanley Melbourne Bruce, C. H., M. C., High Commissioner for the Commonwealth of Australia in London;

for the Dominion of New Zealand:

The Honourable Sir Christopher James Parr, G. C. M. G., High Commissioner for the Dominion of New Zealand in London;

for India:

Richard Austen Butler, Esquire, M. P., Parliamentary Under Secretary of State for India.

Lesquels, après s'être communiqué leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

## Partie I

### DEFINITIONS

#### *Article Premier*

Dans le présent Traité, les expressions suivantes doivent s'entendre respectivement avec le sens ci-après:

#### A.—*Déplacement type.*

1. Le déplacement type d'un bâtiment de surface est le déplacement du bâtiment achevé, avec son équipage complet, ses machines et chaudières, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres, eau douce pour l'équipage, approvisionnements divers, outillages et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible et sans eau de réserve pour l'alimentation des machines et chaudières.

2. Le déplacement type d'un sous-marin est le déplacement en surface du bâtiment achevé (non compris l'eau des compartiments non étanches), avec son équipage complet, son appareil moteur, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres pour l'équipage, outillages divers et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible, huile lubrifiante, eau douce ou eau de ballast de toute sorte.

3. Le mot "tonne," sauf dans l'expression "tonnes métriques," désigne une tonne de 1.016 kilogrammes (2.240 lbs.).

#### B.—*Classes.*

1. Les *bâtiments de ligne* sont des bâtiments de guerre de surface appartenant à l'une des deux sous-classes suivantes:

(a) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les bâtiments auxiliaires ou les bâtiments de ligne de la sous-classe (b), dont le déplacement type est supérieur à 10.000 tonnes (10,160 tonnes métriques) ou qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces);

(b) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, dont le déplacement type n'est pas supérieur à 8.000 tonnes (8.128 tonnes métriques) et qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces).

2. Les *bâtiments porte-aéronefs* sont des bâtiments de guerre de surface qui, quel que soit leur déplacement, sont conçus ou aménagés principalement pour transporter et mettre en action des aéronefs en mer. Si un bâtiment de guerre n'a pas été conçu ou aménagé principalement pour transporter et mettre en action des aéronefs en mer, l'installation sur ce bâtiment d'un pont d'atterrissage ou d'envol n'aura pas pour effet de le faire entrer dans la classe des bâtiments porte-aéronefs.

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

## Part I

Part I.

## DEFINITIONS

### Article 1

For the purposes of the present Treaty, the following expressions are to be understood in the sense hereinafter defined.

Definitions.

#### A.—Standard Displacement.

(1) The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

Standard displacement.  
Surface vessel.

(2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

Submarine.

(3) The word "ton" except in the expression "metric tons" denotes the ton of 2,240 lb. (1,016 kilos).

"Ton."

#### B.—Categories.

(1) *Capital Ships* are surface vessels of war belonging to one of the two following sub-categories:—

Categories.

Capital ships.

Sub-categories.

(a) surface vessels of war, other than aircraft carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.);

(b) surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).

(2) *Aircraft-Carriers* are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing-on or flying-off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

Aircraft-carriers.

La classe des bâtiments porte-aéronefs se subdivise en deux sous-classes, à savoir:

- (a) bâtiments pourvus d'un pont tel que les aéronefs puissent y prendre leur vol ou s'y poser;
- (b) bâtiments non pourvus du pont décrit au paragraphe (a) ci-dessus.

3. Les *bâtiments légers de surface* sont des bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les petits navires de combat ou les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 10.000 tonnes (10.160 tonnes métriques), et qui ne portent pas de canon d'un calibre supérieur à 203 millimètres (8 pouces).

La classe des bâtiments légers de surface se subdivise en trois sous-classes, à savoir:

- (a) bâtiments portant un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);
- (b) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6,1 pouces), et dont le déplacement type est supérieur à 3.000 tonnes (3.048 tonnes métriques);
- (c) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6,1 pouces), et dont le déplacement type n'est pas supérieur à 3.000 tonnes (3.048 tonnes métriques).

4. Les *sous-marins* sont tous les bâtiments conçus pour naviguer au dessous de la surface de la mer.

5. Les *petits navires de combat* sont des bâtiments de guerre de surface, autres que les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 2.000 tonnes (2.032 tonnes métriques), et qui n'ont aucune des caractéristiques suivantes:

- (a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);
- (b) être conçus ou équipés pour lancer des torpilles;
- (c) être conçus pour atteindre une vitesse supérieure à vingt noeuds.

6. Les *bâtiments auxiliaires* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), qui sont normalement utilisés pour le service de la flotte, ou comme transports de troupes, ou pour tout emploi autre que celui de bâtiments combattants, qui ne sont pas spécialement construits pour être des bâtiments combattants, et qui n'ont aucune des caractéristiques suivantes:

- (a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);
- (b) être armés de plus de huit canons d'un calibre supérieur à 76 millimètres (3 pouces);
- (c) être conçus ou équipés pour lancer des torpilles;
- (d) être conçus pour être protégés par des plaques de blindage;
- (e) être conçus pour atteindre une vitesse supérieure à vingt-huit noeuds;
- (f) être conçus ou aménagés principalement pour mettre en action des aéronefs en mer;
- (g) être équipés de plus de deux appareils à lancer des aéronefs.

The category of aircraft-carriers is divided into two sub-categories as follows:—

Sub-categories.

- (a) vessels fitted with a flight deck, from which aircraft can take off, or on which aircraft can land from the air;
- (b) vessels not fitted with a flight deck as described in (a) above.

(3) *Light Surface Vessels* are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a calibre exceeding 8 in. (203 mm.).

Light surface vessels.

The category of light surface vessels is divided into three sub-categories as follows:—

Sub-categories.

- (a) vessels which carry a gun with a calibre exceeding 6.1 in. (155 mm.);
- (b) vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons);
- (c) vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

(4) *Submarines* are all vessels designed to operate below the surface of the sea.

Submarines.

(5) *Minor War Vessels* are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics:—

Minor war vessels.

- (a) mount a gun with a calibre exceeding 6.1 in. (155 mm.)
- (b) are designed or fitted to launch torpedoes;
- (c) are designed for a speed greater than twenty knots.

(6) *Auxiliary Vessels* are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics:—

Auxiliary vessels.

- (a) mount a gun with a calibre exceeding 6.1 in. (155 mm.);
- (b) mount more than eight guns with a calibre exceeding 3 in. (76 mm.);
- (c) are designed or fitted to launch torpedoes;
- (d) are designed for protection by armour plate;
- (e) are designed for a speed greater than twenty-eight knots;
- (f) are designed or adapted primarily for operating aircraft at sea;
- (g) mount more than two aircraft-launching apparatus.

7. Les *petits bâtiments* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type n'est pas supérieur à 100 tonnes (102 tonnes métriques).

C.—*Bâtiments hors d'âge.*

Les bâtiments des classes et sous-classes suivantes seront considérés comme "hors d'âge" lorsque, depuis leur achèvement, se sera écoulé le nombre d'années indiqué ci-dessous:

- |  |         |
|--|---------|
| (a) pour un bâtiment de ligne .. .. .                              | 26 ans; |
| (b) pour un bâtiment porte-aéronefs .. .. .                        | 20 ans; |
| (c) pour un bâtiment léger de surface des sous-classes (a) et (b): |         |
| (i) s'il a été mis sur cale avant le 1 <sup>er</sup> janvier 1920  | 16 ans; |
| (ii) s'il a été mis sur cale après le 31 décembre                  |         |
| 1919 .. .. .   | 20 ans; |
| (d) pour un bâtiment léger de surface de la sous-                  |         |
| classe (c) .. .. .   | 16 ans; |
| (e) pour un sous-marin. . . . .                                    | 13 ans. |

D.—*Mois.*

Dans le présent Traité, le mot "mois", lorsqu'il se réfère à une période de temps, doit être entendu comme correspondant à une durée de trente jours.

Partie II

LIMITATIONS

*Article 2*

A partir de la date d'entrée en vigueur du présent Traité, aucun bâtiment dépassant les limites de déplacement ou d'armement prévues à la présente Partie dudit Traité ne devra être acquis par une Haute Partie Contractante, ni construit par elle, ou pour son compte, ou dans le ressort de sa juridiction.

*Article 3*

Aucun bâtiment qui, à la date d'entrée en vigueur du présent Traité, portera des canons d'un calibre supérieur aux limites fixées à la présente Partie dudit Traité, ne sera, s'il est reconstruit ou modernisé, réarmé de canons d'un calibre supérieur à celui des canons qu'il portait précédemment.

*Article 4*

1. Aucun bâtiment de ligne n'aura un déplacement type supérieur à 35.000 tonnes (35.560 tonnes métriques).

2. Aucun bâtiment de ligne ne portera de canon d'un calibre supérieur à 356 millimètres (14 pouces); il est entendu toutefois que si l'une des Parties au Traité pour la limitation des armements navals signé à Washington le 6 février 1922, ne prenait pas, avant la date d'entrée en vigueur du présent Traité, et en tout cas au plus tard le

(7) *Small Craft* are naval surface vessels the standard displacement of which does not exceed 100 tons (102 metric tons).

Small craft.

### C.—*Over Age.*

Vessels of the following categories and sub-categories shall be deemed to be "over-age" when the undermentioned number of years have elapsed since completion:—

"Over age".

- (a) Capital ships . . . . . 26 years.
- (b) Aircraft-carriers . . . . . 20 years.
- (c) Light surface vessels, sub-categories (a) and (b):
  - (i) if laid down before 1st January, 1920 . . 16 years.
  - (ii) if laid down after 31st December, 1919 . . 20 years.
- (d) Light surface vessels, sub-category (c) . . 16 years.
- (e) Submarines . . . . . 13 years.

### D.—*Month.*

The word "month" in the present Treaty with reference to a period of time denotes the month of thirty days.

"Month".

## Part II

Part II.

### LIMITATION

#### *Article 2*

After the date of the coming into force of the present Treaty, no vessel exceeding the limitations as to displacement or armament prescribed by this Part of the present Treaty shall be acquired by any High Contracting Party or constructed by, for or within the jurisdiction of any High Contracting Party.

Limitation.

#### *Article 3*

No vessel which at the date of the coming into force of the present Treaty carries guns with a calibre exceeding the limits prescribed by this Part of the present Treaty shall, if reconstructed or modernised, be rearmed with guns of a greater calibre than those previously carried by her.

Gun calibre restrictions.

#### *Article 4*

(1) No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement.

Capital ships, displacement.

(2) No capital ship shall carry a gun with a calibre exceeding 14 in. (356 mm.); provided however that if any of the Parties to the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, should fail to enter into an agreement to conform to this provision prior to the date of the coming into force

Gun calibre. Provisions, if failing agreement. 43 Stat. 1655.



1er avril 1937, l'engagement de se conformer à la présente disposition, le calibre maximum permis pour les canons des bâtiments de ligne sera de 406 millimètres (16 pouces).

3. Aucun bâtiment de ligne de la sous-classe (a) dont le déplacement type serait inférieur à 17.500 tonnes (17.780 tonnes métriques) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

4. Aucun bâtiment de ligne dont l'armement principal consisterait en canons d'un calibre inférieur à 254 millimètres (10 pouces) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

#### *Article 5*

1. Aucun bâtiment porte-aéronefs n'aura un déplacement type supérieur à 23.000 tonnes (23.368 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 155 millimètres (6,1 pouces).

2. Si l'armement d'un bâtiment porte-aéronefs comprend des canons d'un calibre supérieur à 134 millimètres (5,25 pouces), le nombre total de canons dépassant ce calibre ne devra pas être supérieur à dix.

#### *Article 6*

1. Aucun bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasserait 8.000 tonnes (8.128 tonnes métriques), et aucun bâtiment léger de surface de la sous-classe (a) ne seront mis sur cale ou acquis avant le 1er janvier 1943.

2. Nonobstant les dispositions du paragraphe (1) ci-dessus, si une Haute Partie Contractante estime que les exigences de sa sécurité nationale sont matériellement affectées par le nombre de bâtiments légers de surface de la sous-classe (b) construits, en construction ou autorisés par une Puissance quelconque, ou par le fait qu'une telle Puissance construit des bâtiments légers de surface sans se conformer aux restrictions du paragraphe (1) ci-dessus, ladite Haute Partie Contractante aura, après avoir notifié ses intentions aux autres Hautes Parties Contractantes et leur en avoir exposé les motifs, le droit de mettre sur cale ou d'acquérir des bâtiments légers de surface des sous-classes (a) et (b) dont le déplacement type pourra atteindre 10.000 tonnes (10.160 tonnes métriques), pourvu qu'elle se conforme aux dispositions de la Partie III du présent Traité. Chacune des Hautes Parties Contractantes sera alors fondée à exercer le même droit.

3. Il est entendu qu'aucun engagement, explicite ou implicite, de maintenir postérieurement à l'année 1942 les restrictions prévues au paragraphe 1 ci-dessus, ne résulte dudit paragraphe 1.

#### *Article 7*

Aucun sous-marin n'aura un déplacement type supérieur à 2.000 tonnes (2.032 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 130 millimètres (5,1 pouces).

of the present Treaty, but in any case not later than the 1st April, 1937, the maximum calibre of gun carried by capital ships shall be 16 in. (406 mm.).

(3) No capital ship of sub-category (a), the standard displacement of which is less than 17,500 tons (17,780 metric tons), shall be laid down or acquired prior to the 1st January, 1943.

Sub-category (a),  
new construction.

(4) No capital ship, the main armament of which consists of guns of less than 10 in. (254 mm.) calibre, shall be laid down or acquired prior to the 1st January, 1943.

Main armament of  
guns less than 10 in.  
calibre.

#### *Article 5*

(1) No aircraft carrier shall exceed 23,000 tons (23,368 metric tons) standard displacement or carry a gun with a calibre exceeding 6.1 in. (155 mm.).

Aircraft carriers,  
gun calibre restriction.

(2) If the armament of any aircraft carrier includes guns exceeding 5.25 in. (134 mm.) in calibre, the total number of guns carried which exceed that calibre shall not be more than ten.

Number limited.

#### *Article 6*

(1) No light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, and no light surface vessel of sub-category (a) shall be laid down or acquired prior to the 1st January, 1943.

Light surface ves-  
sels of sub-category  
(b), etc., construc-  
tion.

(2) Notwithstanding the provisions of paragraph (1) above, if the requirements of the national security of any High Contracting Party are, in His opinion, materially affected by the actual or authorised amount of construction by any Power of light surface vessels of sub-category (b), or of light surface vessels not conforming to the restrictions of paragraph (1) above, such High Contracting Party shall, upon notifying the other High Contracting Parties of His intentions and the reasons therefor, have the right to lay down or acquire light surface vessels of sub-categories (a) and (b) of any standard displacement up to 10,000 tons (10,610 metric tons) subject to the observance of the provisions of Part III of the present Treaty. Each of the other High Contracting Parties shall thereupon be entitled to exercise the same right.

Modifications.

(3) It is understood that the provisions of paragraph (1) above constitute no undertaking expressed or implied to continue the restrictions therein prescribed after the year 1942.

Time provision.

#### *Article 7*

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 in. (130 mm.) in calibre.

Submarine gun cal-  
ibre.

*Article 8*

Tout bâtiment sera compté pour son déplacement type tel qu'il est défini en paragraphe A de l'article premier du présent Traité.

*Article 9*

Il ne sera fait, en temps de paix, aucune installation préparatoire sur les navires de commerce, en vue de les armer pour les transformer en bâtiments de guerre; toutefois il sera permis de renforcer les ponts pour y monter des canons d'un calibre ne dépassant pas 155 millimètres (6,1 pouces).

*Article 10*

Conserveront leur classe ou leur désignation précédente, les bâtiments mis sur cale avant la date d'entrée en vigueur du présent Traité, dont le déplacement type ou l'armement dépasserait les limitations ou restrictions prévues, pour leur classe ou leur sous-classe, à la présente partie dudit Traité, ainsi que les bâtiments qui, avant cette date, et conformément aux dispositions des traités antérieurs, ont été transformés pour l'usage exclusif de cible, ou conservés pour servir exclusivement à des expériences ou à l'instruction.

**Partie III****PREAVIS ET ECHANGES DE RENSEIGNEMENTS***Article 11*

1. Chacune des Hautes Parties Contractantes communiquera chaque année aux autres Hautes Parties Contractantes, ainsi qu'il est prévu ci-après, des renseignements concernant son programme annuel de construction et d'acquisition de tous bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12, que ceux-ci soient ou non construits dans le ressort de sa juridiction; elle leur communiquera également, de manière périodique, des renseignements détaillés relatifs auxdits bâtiments ainsi qu'à toutes les modifications qui seraient apportées à des bâtiments déjà achevés desdites classes ou sous-classes.

2. Aux fins de la présente partie et des parties suivantes du Traité, tout renseignement sera considéré comme étant parvenu à une Haute Partie Contractante à la date à laquelle en auront reçu communication ses représentants diplomatiques accrédités auprès de la Haute Partie Contractante qui fournit les renseignements.

3. Ces renseignements devront conserver un caractère confidentiel jusqu'à leur publication par la Haute Partie Contractante qui les a fournis.

*Article 8*

Every vessel shall be rated at its standard displacement, as defined in Article 1A of the present Treaty.

Standard displacement rating.  
*Ante*, p. 1367.

*Article 9*

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 in. (155 mm.) in calibre.

Preparing merchantmen for armament in peace-time.

*Article 10*

Vessels which were laid down before the date of the coming into force of the present Treaty, the standard displacement or armament of which exceeds the limitations or restrictions prescribed in this Part of the present Treaty for their category or sub-category, or vessels which before that date were converted to target use exclusively or retained exclusively for experimental or training purposes under the provisions of previous treaties, shall retain the category or designation which applied to them before the said date.

New construction, effective date, exceeding limitations.

Conversions for target use.

**Part III**

Part III.

## ADVANCE NOTIFICATION AND EXCHANGE OF INFORMATION

Advance notification and exchange of information.

*Article 11*

(1) Each of the High Contracting Parties shall communicate every year to each of the other High Contracting Parties information, as hereinafter provided, regarding His annual programme for the construction and acquisition of all vessels of the categories and sub-categories mentioned in Article 12 (*a*), whether or not the vessels concerned are constructed within His own jurisdiction, and periodical information giving details of such vessels and of any alterations to vessels of the said categories or sub-categories already completed.

Annual programs. Communication to other Parties.

(2) For the purposes of this and the succeeding Parts of the present Treaty, information shall be deemed to have reached a High Contracting Party on the date upon which such information is communicated to His Diplomatic Representatives accredited to the High Contracting Party by whom the information is given.

Date of reception.

(3) This information shall be treated as confidential until published by the High Contracting Party supplying it.

Confidential treatment.

*Article 12*

Les renseignements à fournir en vertu de l'article précédent, au sujet de bâtiments construits par une Haute Partie Contractante ou pour son compte, seront donnés comme suit, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans les délais ou au moment prescrits:

(a) Dans les quatre premiers mois de chaque année civile, le programme annuel de construction de tous bâtiments des classes et sous-classes ci-après, en indiquant le nombre de bâtiments de chaque classe ou sous-classe, et, pour chaque bâtiment, le calibre du plus gros canon. Les classes et sous-classes en question sont les suivantes:

Bâtiments de ligne:

sous-classe (a)

sous-classe (b)

Bâtiments porte-aéronefs:

sous-classe (a)

sous-classe (b)

Bâtiments légers de surface:

sous-classe (a)

sous-classe (b)

sous-classe (c)

Sous-marins.

(b) Au moins quatre mois avant la date de la mise sur cale, les renseignements suivants au sujet de chacun de ces bâtiments:

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Longueur à la ligne de flottaison correspondant au déplacement type.

Largeur maxima à ou sous la ligne de flottaison correspondant au déplacement type.

Tirant d'eau moyen correspondant au déplacement type.

Puissance en chevaux prévue.

Vitesse prévue.

Type des machines.

Type du combustible.

Nombre et calibre de tous les canons d'un calibre égal ou supérieur à 76 millimètres (3 pouces).

Nombre approximatif des canons d'un calibre inférieur à 76 millimètres (3 pouces).

Nombre de tubes lance-torpilles.

Le navire est-il conçu pour la pose de mines?

Nombre approximatif des aéronefs pour lesquels des installations sont prévues.

(c) Dès que possible après la mise sur cale de chacun de ces bâtiments, la date à laquelle celle-ci a eu lieu.

(d) Dans le mois qui suit la date d'achèvement de chacun de ces bâtiments, la date de cet achèvement, ainsi que toutes les caractéristiques indiquées au paragraphe (b) ci-dessus, relatives au bâtiment au moment de son achèvement.

*Article 12*

The information to be furnished under the preceding Article in respect of vessels constructed by or for a High Contracting Party shall be given as follows; and so as to reach all the other High Contracting Parties within the periods or at the times mentioned:—

Furnishing information; procedure.

(a) Within the first four months of each calendar year, the Annual Programme of construction of all vessels of the following categories and sub-categories, stating the number of vessels of each category or sub-category and, for each vessel, the calibre of the largest gun. The categories and sub-categories in question are:—

Programs of vessel construction.

Capital Ships—

sub-category (a)

sub-category (b)

Aircraft-Carriers—

sub-category (a)

sub-category (b)

Light Surface Vessels—

sub-category (a)

sub-category (b)

sub-category (c)

Submarines.

(b) Not less than four months before the date of the laying of the keel, the following particulars in respect of each such vessel:—

Name or designation;

Category and sub-category;

Standard displacement in tons and metric tons;

Length at waterline at standard displacement;

Extreme beam at or below waterline at standard displacement;

Mean draught at standard displacement;

Designed horse-power;

Designed speed;

Type of machinery;

Type of fuel;

Number and calibre of all guns of 3 in. (76 mm.) calibre and above;

Approximate number of guns of less than 3 in. (76 mm.) calibre;

Number of torpedo tubes;

Whether designed to lay mines;

Approximate number of aircraft for which provision is to be made.

(c) As soon as possible after the laying-down of the keel of each such vessel, the date on which it was laid.

Date on which keel laid.

(d) Within one month after the date of completion of each such vessel, the date of completion together with all the particulars specified in paragraph (b) above relating to the vessel on completion.

Completion.

(e) Chaque année, au cours du mois de janvier, pour les bâtiments entrant dans les classes et sous-classes mentionnées au paragraphe (a) ci-dessus:

(i) des renseignements sur toutes modifications importantes qu'il serait devenu nécessaire d'apporter, au cours de l'année précédente, aux bâtiments en construction, pour autant que ces modifications affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(ii) des renseignements sur toutes modifications importantes apportées, au cours de l'année précédente, à des bâtiments déjà achevés, pour autant qu'elles affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(iii) des renseignements concernant les bâtiments qui auraient été détruits ou déclassés de quelque autre façon au cours de l'année précédente. Si ces bâtiments n'ont pas été détruits, il sera donné des renseignements suffisants pour permettre de déterminer leur nouvelle situation ou leur nouvel état.

(f) Au moins quatre mois avant d'entreprendre des modifications de nature à faire entrer un bâtiment déjà achevé dans une des classes ou sous-classes mentionnées au paragraphe (a) ci-dessus, ou à faire passer un tel bâtiment de l'une dans l'autre de ces classes ou sous-classes: les renseignements sur ses caractéristiques projetées, comme indiqué au paragraphe (b) ci-dessus.

#### *Article 13*

Aucun bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12 ne sera mis sur cale par une Haute Partie Contractante avant l'expiration d'un délai de quatre mois à compter de la date à laquelle seront parvenus à toutes les autres Hautes Parties Contractantes, tant le programme annuel dans lequel le bâtiment est compris, que les caractéristiques relatives à ce bâtiment mentionnées au paragraphe (b) de l'article 12.

#### *Article 14*

Si une Haute Partie Contractante a l'intention d'acquérir un bâtiment totalement ou partiellement achevé, entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, ce bâtiment devra être déclaré en même temps et de la même façon que les bâtiments inclus dans le programme annuel prescrit par ledit paragraphe. Un tel bâtiment ne pourra pas être acquis avant l'expiration d'un délai de quatre mois à compter de la date à laquelle ladite déclaration sera parvenue à toutes les autres Hautes Parties Contractantes. Les caractéristiques indiquées au paragraphe (b) de l'article 12 seront fournies pour ce bâtiment, en même temps que la date de sa mise sur cale, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le délai d'un mois à compter de la date de la signature du contrat d'achat du bâtiment. Les caractéristiques qui font l'objet des paragraphes (d), (e) et (f) de l'article 12 seront fournies ainsi qu'il est prévu auxdits paragraphes.

(e) Annually during the month of January, in respect of vessels belonging to the categories and sub-categories mentioned in paragraph (a) above: Annual statement of alterations, scrapping, etc.

(i) Information as to any important alterations which it may have proved necessary to make during the preceding year in vessels under construction, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(ii) Information as to any important alterations made during the preceding year in vessels previously completed, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(iii) Information concerning vessels which may have been scrapped or otherwise disposed of during the preceding year. If such vessels are not scrapped, sufficient information shall be given to enable their new status and condition to be determined.

(f) Not less than four months before undertaking such alterations as would cause a completed vessel to come within one of the categories or sub-categories mentioned in paragraph (a) above, or such alterations as would cause a vessel to change from one to another of the said categories or sub-categories: information as to her intended characteristics as specified in paragraph (b) above. Advance notice of contemplated alterations, etc.

#### *Article 13*

No vessel coming within the categories or sub-categories mentioned in Article 12 (a) shall be laid down by any High Contracting Party until after the expiration of a period of four months both from the date on which the Annual Programme in which the vessel is included, and from the date on which the particulars in respect of that vessel prescribed by Article 12 (b), have reached all the other High Contracting Parties. Advance notice of vessel construction.

#### *Article 14*

If a High Contracting Party intends to acquire a completed or partially completed vessel coming within the categories or sub-categories mentioned in Article 12 (a), that vessel shall be declared at the same time and in the same manner as the vessels included in the Annual Programme prescribed in the said Article. No such vessel shall be acquired until after the expiration of a period of four months from the date on which such declaration has reached all the other High Contracting Parties. The particulars mentioned in Article 12 (b), together with the date on which the keel was laid, shall be furnished in respect of such vessel so as to reach all the other High Contracting Parties within one month after the date on which the contract for the acquisition of the vessel was signed. The particulars mentioned in Article 12 (d), (e) and (f) shall be given as therein prescribed. Acquisition of completed, etc., vessel.

Communication of particulars to other Powers.



*Article 15*

Au moment où elle communiquera le programme annuel prévu au paragraphe (a) de l'article 12, chacune des Hautes Parties Contractantes fera connaître à toutes les autres Hautes Parties Contractantes quels sont les bâtiments, compris dans ses déclarations et ses programmes annuels précédents, qui n'ont pas encore été mis sur cale ou acquis par elle, mais qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

*Article 16*

Si, avant la mise sur cale d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, une modification importante est apportée aux caractéristiques déjà communiquées en application du paragraphe (b) du même article, les renseignements concernant cette modification devront être communiqués; la mise sur cale sera retardée jusqu'à l'expiration d'un délai d'au moins quatre mois à compter de la date à laquelle ces renseignements seront parvenus à toutes les Hautes Parties Contractantes.

*Article 17*

Aucune Haute Partie Contractante ne pourra mettre sur cale ou acquérir de bâtiment des classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, si ce bâtiment n'a pas été antérieurement compris dans son programme annuel de construction ou dans sa déclaration d'acquisition pour l'année en cours, ou dans l'un de ses programmes ou déclarations antérieurs.

*Article 18*

Au cas où, dans le ressort de la juridiction de l'une des Hautes Parties Contractantes, serait entreprise la construction, reconstruction ou modernisation d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, pour le compte d'une Puissance non partie au présent Traité, la Haute Partie Contractante intéressée portera sans délai à la connaissance de toutes les autres Hautes Parties Contractantes la date de la signature du contrat et, aussitôt que possible, tous les renseignements relatifs audit bâtiment indiqués aux paragraphes (b), (c) et (d) de l'article 12.

*Article 19*

Chacune des Hautes Parties Contractantes communiquera, à temps pour qu'elles parviennent à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité, des listes de tous ses petits navires de combat et bâtiments auxiliaires, comportant les caractéristiques énoncées au

*Article 15*

At the time of communicating the Annual Programme prescribed by Article 12 (a), each High Contracting Party shall inform all the other High Contracting Parties of all vessels included in His previous Annual Programmes and declarations that have not yet been laid down or acquired, but which it is the intention to lay down or acquire during the period covered by the first mentioned Annual Programme.

Annual program to include previous declaration.  
*Ante*, p. 1377.

*Article 16*

If, before the keel of any vessel coming within the categories or sub-categories mentioned in Article 12 (a) is laid, any important modification is made in the particulars regarding her which have been communicated under Article 12 (b), information concerning this modification shall be given, and the laying of the keel shall be deferred until at least four months after this information has reached all the other High Contracting Parties.

Modifications; notice to be given before keel laid.

*Article 17*

No High Contracting Party shall lay down or acquire any vessel of the categories or sub-categories mentioned in Article 12 (a), which has not previously been included in His Annual Programme of construction or declaration of acquisition for the current year or in any earlier Annual Programme or declaration.

Construction or acquisition forbidden if not included in annual program.

*Article 18*

If the construction, modernisation or reconstruction of any vessel coming within the categories or sub-categories mentioned in Article 12 (a), which is for the order of a Power not a party to the present Treaty, is undertaken within the jurisdiction of any High Contracting Party, He shall promptly inform all the other High Contracting Parties of the date of the signing of the contract and shall also give as soon as possible in respect of the vessel all the information mentioned in Article 12 (b), (c) and (d).

Construction, etc., of vessel for nonsignatory Power.

*Ante*, p. 1377.

*Article 19*

Each High Contracting Party shall give lists of all His minor war vessels and auxiliary vessels with their characteristics, as enumerated in Article 12 (b), and information as to the particular service for which they are intended, so as to reach all the other High Contracting Parties within one month after the date of the coming into force of

Minor, etc., vessels; lists to be furnished.

paragraphe (b) de l'article 12, et l'indication de l'emploi particulier auquel ils sont destinés; par la suite, elle communiquera, à temps pour qu'elles parviennent à la connaissance de toutes les autres Hautes Parties Contractantes dans le courant du mois de janvier de chaque année, toutes modifications qu'il conviendrait d'apporter à ces listes ainsi qu'aux indications susvisées.

#### *Article 20*

Chacune des Hautes Parties Contractantes communiquera aux autres Hautes Parties Contractantes, à temps pour qu'elles leur parviennent dans le mois qui suivra la date d'entrée en vigueur du présent Traité, les caractéristiques indiquées au paragraphe (b) de l'article 12, de tous bâtiments des classes et sous-classes mentionnées au paragraphe (a) du même article, qui seraient à ce moment en construction pour son compte, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

#### *Article 21*

1. Au moment où elle communiquera son premier programme annuel de construction et sa première déclaration d'acquisition, chacune des Hautes Parties Contractantes fera connaître aux autres Hautes Parties Contractantes tous les bâtiments appartenant aux classes et sous-classes mentionnées au paragraphe (a) de l'article 12, qui ont été précédemment autorisés et qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

2. Aucune disposition de la présente partie du présent Traité n'empêchera une Haute Partie Contractante de mettre sur cale ou d'acquérir à tout moment, dans les quatre mois qui suivront la date d'entrée en vigueur du Traité, tout bâtiment compris ou à comprendre dans son premier programme annuel de construction ou dans sa première déclaration d'acquisition, ou précédemment autorisé, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité.

3. Au cas où le présent Traité n'entrerait pas en vigueur avant le 1er mai 1937, le premier programme annuel de construction et la première déclaration d'acquisition à communiquer en vertu du paragraphe (a) de l'article 12 ou de l'article 14, devront parvenir aux autres Hautes Parties Contractantes dans le mois qui suivra l'entrée en vigueur du présent Traité.

the present Treaty; and, so as to reach all the other High Contracting Parties within the month of January in each subsequent year, any amendments in the lists and changes in the information.

#### *Article 20*

Each of the High Contracting Parties shall communicate to each of the other High Contracting Parties, so as to reach the latter within one month after the date of the coming into force of the present Treaty, particulars, as mentioned in Article 12 (*b*), of all vessels of the categories or sub-categories mentioned in Article 12 (*a*), which are then under construction for Him, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His own jurisdiction for a Power not a party to the present Treaty.

Lists of vessels under construction, etc.

#### *Article 21*

(1) At the time of communicating His initial Annual Programme of construction and declaration of acquisition, each High Contracting Party shall inform each of the other High Contracting Parties of any vessels of the categories or sub-categories mentioned in Article 12 (*a*), which have been previously authorised and which it is the intention to lay down or acquire during the period covered by the said Programme.

Previously authorized, etc., construction to be included in initial annual program.

(2) Nothing in this Part of the present Treaty shall prevent any High Contracting Party from laying down or acquiring, at any time during the four months following the date of the coming into force of the Treaty, any vessel included, or to be included, in His initial Annual Programme of construction or declaration of acquisition, or previously authorised, provided that the information prescribed by Article 12 (*b*) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

Communication of information to contracting Powers; time period.

(3) If the present Treaty should not come into force before the 1st May, 1937, the initial Annual Programme of construction and declaration of acquisition, to be communicated under Articles 12 (*a*) and 14 shall reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

Provision, should Treaty not come into force before May 1, 1937.

**Partie IV****DISPOSITIONS GENERALES ET CLAUSES DE SAUVEGARDE***Article 22*

Aucune Haute Partie Contractante ne disposera à titre gratuit, à titre onéreux, ou autrement, de ses bâtiments de guerre de surface ou de ses sous-marins, dans des conditions permettant à une Marine étrangère de les employer comme tels. La présente disposition ne s'applique pas aux bâtiments auxiliaires.

*Article 23*

1. Aucune disposition du présent Traité ne portera atteinte au droit qu'a chacune des Hautes Parties Contractantes, en cas de perte ou de destruction accidentelle, de remplacer un bâtiment qui ne serait pas encore hors d'âge, par un bâtiment de la même classe ou sous-classe, aussitôt que les caractéristiques du nouveau bâtiment, comme prévu au paragraphe (b) de l'article 12, seront parvenues à toutes les autres Hautes Parties Contractantes.

2. Les dispositions du paragraphe précédent s'appliqueront également au remplacement immédiat, dans les mêmes circonstances, d'un bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasse 8.000 tonnes (8.128 tonnes métriques), ou d'un bâtiment léger de surface de la sous-classe (a), si le bâtiment en question n'est pas encore hors d'âge, par un bâtiment léger de surface de la même sous-classe dont le déplacement type pourra atteindre 10.000 tonnes (10.160 tonnes métriques).

*Article 24*

1. Si une Haute Partie Contractante se trouve engagée dans une guerre, elle pourra, si elle estime que les exigences de sa défense maritime en sont matériellement affectées, suspendre, pour ce qui la concerne, l'exécution d'une ou de toutes les obligations du présent Traité, à condition de notifier rapidement aux autres Hautes Parties Contractantes que les circonstances exigent cette suspension, et de spécifier les obligations dont elle juge nécessaire de suspendre l'exécution.

2. Dans ce cas, les autres Hautes Parties Contractantes se consulteront rapidement et examineront la situation qui se présente, en vue de s'entendre sur les obligations du présent Traité dont chacune desdites Hautes Parties Contractantes pourrait, le cas échéant, suspendre l'exécution. Au cas où cette consultation n'aboutirait pas à un accord, l'une quelconque desdites Hautes Parties Contractantes pourra suspendre, pour ce qui la concerne, l'exécution d'une ou de toutes les obligations du présent Traité, à condition de donner rapidement avis aux autres Hautes Parties Contractantes des obligations dont elle juge nécessaire de suspendre l'exécution.

## Part IV

Part IV.

## GENERAL AND SAFEGUARDING CLAUSES

General and safeguarding clauses.

*Article 22*

No High Contracting Party shall, by gift, sale or any mode of transfer, dispose of any of His surface vessels of war or submarines in such a manner that such vessel may become a surface vessel of war or a submarine in any foreign navy. This provision shall not apply to auxiliary vessels.

Restriction on disposal of vessels of war, etc.

Auxiliary vessels.

*Article 23*

(1) Nothing in the present Treaty shall prejudice the right of any High Contracting Party, in the event of loss or accidental destruction of a vessel, before the vessel in question has become over-age, to replace such vessel by a vessel of the same category or sub-category as soon as the particulars of the new vessel mentioned in Article 12 (*b*) shall have reached all the other High Contracting Parties.

Replacements.

*Ante*, p. 1377.

(2) The provisions of the preceding paragraph shall also govern the immediate replacement, in such circumstances, of a light surface vessel of sub-category (*b*) exceeding 8,000 tons (8,128 metric tons) standard displacement, or of a light surface vessel of sub-category (*a*), before the vessel in question has become over-age, by a light surface vessel of the same sub-category of any standard displacement up to 10,000 tons (10,160 metric tons).

*Article 24*

(1) If any High Contracting Party should become engaged in war, such High Contracting Party may, if He considers the naval requirements of His defence are materially affected, suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly notify the other High Contracting Parties that the circumstances require such suspension, and shall specify the obligations it is considered necessary to suspend.

Certain obligations waived in time of war.

Notice thereof to other Powers.

(2) The other High Contracting Parties shall in such case promptly consult together, and shall examine the situation thus presented with a view to agreeing as to the obligations of the present Treaty, if any, which each of the said High Contracting Parties may suspend. Should such consultation not produce agreement, any of the said High Contracting Parties may suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly give notice to the other High Contracting Parties of the obligations which it is considered necessary to suspend.

Examination of situation.

Suspension of obligations in case of disagreement.

Notice.

3. A la cessation des hostilités, les Hautes Parties Contractantes se consulteront en vue de fixer une date à laquelle les obligations du Traité dont l'exécution a été suspendue entreront de nouveau en vigueur, et de se mettre d'accord sur tous amendements au présent Traité qui seraient jugés nécessaires.

*Article 25*

1. Au cas où des bâtiments non conformes aux limitations et restrictions de déplacement type et d'armement prescrites par les articles 4, 5 et 7 du présent Traité seraient autorisés, construits ou acquis par une Puissance non partie audit Traité, chacune des Hautes Parties Contractantes se réserve le droit de déroger, dans le cas et dans la mesure où elle estimerait de telles dérogations nécessaires pour répondre aux exigences de sa sécurité nationale:

a) pendant le reste de la durée du Traité, aux limitations et restrictions des articles 3, 4, 5, 6 paragraphe (1) et 7;

b) pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition.

Ce droit sera exercé conformément aux dispositions suivantes:

2. Toute Haute Partie Contractante qui estimerait nécessaire d'exercer ce droit, en donnera notification aux autres Hautes Parties Contractantes, en indiquant avec précision la nature, la portée et les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront et s'efforceront d'aboutir à un accord en vue de réduire au minimum la portée des dérogations éventuelles.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger, pendant le reste de la durée du présent Traité, aux limitations et restrictions prescrites par les articles 3, 4, 5, 6 paragraphe (1) et 7 dudit Traité.

5. A l'expiration du délai visé au paragraphe précédent, toute Haute Partie Contractante pourra, à moins qu'un accord n'intervienne au cours des consultations prévues au paragraphe (3) ci-dessus, et après en avoir informé toutes les autres Hautes Parties Contractantes, déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, et modifier les caractéristiques de tous bâtiments en construction ou figurant déjà dans ses programmes ou déclarations.

6. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale, ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

(3) On the cessation of hostilities, the High Contracting Parties shall consult together with a view to fixing a date upon which the obligations of the Treaty which have been suspended shall again become operative, and to agreeing upon any amendments in the present Treaty which may be considered necessary.

Cessation of hostilities; resumption of obligations.

#### Article 25

(1) In the event of any vessel not in conformity with the limitations and restrictions as to standard displacement and armament prescribed by Articles 4, 5 and 7 of the present Treaty being authorised, constructed or acquired by a Power not a party to the present Treaty, each High Contracting Party reserves the right to depart if, and to the extent to which, He considers such departures necessary in order to meet the requirements of His national security;

Limitations as to standard displacement, etc.

Departures to meet requirements of national security.

*Ante*, pp. 1371, 1372.

(a) during the remaining period of the Treaty, from the limitations and restrictions of Articles 3, 4, 5, 6 (1) and 7, and

(b) during the current year, from His Annual Programmes of construction and declarations of acquisition.

This right shall be exercised in accordance with the following provisions:—

(2) Any High Contracting Party who considers it necessary that such right should be exercised, shall notify the other High Contracting Parties to that effect, stating precisely the nature and extent of the proposed departures and the reasons therefor.

Notice to other powers.

(3) The High Contracting Parties shall thereupon consult together and endeavour to reach an agreement with a view to reducing to a minimum the extent of the departures which may be made.

Consultation with view of minimizing extent of departure.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart during the remaining period of the present Treaty from the limitations and restrictions prescribed in Articles 3, 4, 5, 6 (1) and 7 thereof.

Suspension of limitations, etc.

*Ante*, pp. 1371, 1373.

(5) On the expiration of the period mentioned in the preceding paragraph, any High Contracting Party shall be at liberty, subject to any agreement which may have been reached during the consultations provided for in paragraph (3) above, and on informing all the other High Contracting Parties, to depart from His Annual Programmes of construction and declarations of acquisition and to alter the characteristics of any vessels building or which have already appeared in His Programmes or declarations.

Alteration of vessels.

(6) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

Delay unnecessary.



*Article 26*

1. Au cas où une Haute Partie Contractante estimerait que les exigences de sa sécurité nationale sont matériellement affectées par un changement de circonstances autre que ceux prévus au paragraphe (2) de l'article 6 et aux articles 24 et 25 du présent Traité, cette Haute Partie Contractante aura le droit de déroger, pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition. Toutefois, le volume des constructions auxquelles une Partie au Traité procéderait en conformité avec les limitations et restrictions établies par ledit Traité, ne saurait constituer un changement de circonstances aux fins du présent article. Le droit sus-mentionné sera exercé conformément aux dispositions ci-après.

2. Ladite Haute Partie Contractante, si elle estime nécessaire d'exercer ce droit, le notifiera à toutes les autres Hautes Parties Contractantes, en indiquant dans quelle mesure elle se propose de déroger à ses programmes annuels de construction et à ses déclarations d'acquisition en fournissant les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront en vue de déterminer d'un commun accord si des dérogations sont nécessaires pour faire face à la situation.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, à condition d'en donner rapidement avis aux autres Hautes Parties Contractantes, en indiquant avec précision dans quelle mesure elle entend y déroger.

5. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

**Partie V****DISPOSITIONS FINALES***Article 27*

Le présent Traité demeurera en vigueur jusqu'au 31 décembre 1942.

*Article 28*

1. Au cours du dernier trimestre de 1940, le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande Bretagne et d'Irlande du Nord ouvrira une consultation, par la voie diplomatique, entre les Gouvernements des Parties au présent Traité, en vue de réunir une

*Article 26*

(1) If the requirements of the national security of any High Contracting Party should, in His opinion, be materially affected by any change of circumstances, other than those provided for in Articles 6 (2), 24 and 25 of the present Treaty, such High Contracting Party shall have the right to depart for the current year from His Annual Programmes of construction and declarations of acquisition. The amount of construction by any Party to the Treaty, within the limitations and restrictions thereof, shall not, however, constitute a change of circumstances for the purposes of the present Article. The above mentioned right shall be exercised in accordance with the following provisions:—

(2) Such High Contracting Party shall, if He desires to exercise the above mentioned right, notify all the other High Contracting Parties to that effect, stating in what respects He proposes to depart from His Annual Programmes of construction and declarations of acquisition, giving reasons for the proposed departure.

(3) The High Contracting Parties will thereupon consult together with a view to agreement as to whether any departures are necessary in order to meet the situation.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart from His Annual Programmes of construction and declarations of acquisition, provided notice is promptly given to the other High Contracting Parties stating precisely in what respects He proposes so to depart.

(5) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

**Part V****FINAL CLAUSES***Article 27*

The present Treaty shall remain in force until the 31st December, 1942.

*Article 28*

(1) His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will, during the last quarter of 1940, initiate through the diplomatic channel a consultation between the Governments of the Parties to the present Treaty with a view to

Departure from annual program of construction, etc., if national security requires.  
*Ante*, pp. 1373, 1385, 1387.

Part V.

Final clauses.

Duration.

Conference to frame new treaty in 1941.

conférence pour élaborer un nouveau traité pour la réduction et la limitation des armements navals. Cette conférence se tiendra en 1941, à moins qu'au cours de cette consultation préliminaire, il apparaisse qu'il ne soit ni désirable, ni praticable, de réunir une telle conférence à ce moment.

2. Au cours de la consultation prévue au paragraphe précédent, les Hautes Parties Contractantes échangeront leurs vues afin de déterminer si, à la lumière des circonstances du moment ainsi que de l'expérience acquise d'ici là dans l'établissement des plans et dans la construction de bâtiments de ligne, il serait possible de se mettre d'accord sur une réduction du déplacement type ou du calibre de l'artillerie des bâtiments de ligne dont les programmes annuels futurs prévoieraient la construction, et de parvenir par là, si possible, à une réduction du coût des bâtiments de ligne.

#### *Article 29*

Aucune disposition du présent Traité ne constituera un précédent pour tout traité futur.

#### *Article 30*

1. Le présent Traité sera ratifié par les Puissances signataires selon les procédures constitutionnelles auxquelles elles sont respectivement tenues, et les instruments de ratification en seront déposés le plus tôt possible auprès du Gouvernement de Sa Majesté dans le Royaume-Uni, qui transmettra des expéditions authentiques de tous les procès-verbaux de dépôt des ratifications aux gouvernements desdites Puissances ainsi que de tout pays au nom duquel il aura été accédé au Traité conformément aux dispositions de l'article 31.

2. Le présent Traité entrera en vigueur le 1<sup>er</sup> janvier 1937 si les instruments de ratification de toutes lesdites Puissances ont été déposés à cette date. Si, au 1<sup>er</sup> janvier 1937, tous les instruments de ratification sus-mentionnés n'ont pas été déposés, le Traité entrera en vigueur dès que tous ces instruments auront été reçus.

#### *Article 31*

1. A compter de ce jour, le présent Traité sera à tout moment ouvert à l'accession de tout pays au nom duquel le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930, mais au nom duquel le présent Traité n'a pas été signé. L'instrument d'accession sera déposé auprès du Gouvernement de Sa Majesté dans le Royaume-Uni, qui transmettra une expédition authentique des procès-verbaux de dépôt aux gouvernements des Puissances signataires ainsi que de tout autre pays au nom duquel il aura été accédé au traité.

2. Si une accession intervient avant la date d'entrée en vigueur du Traité, elle prendra effet à cette date. Si elle est faite postérieurement à ladite date, elle prendra effet immédiatement.

holding a conference in order to frame a new treaty for the reduction and limitation of naval armament. This conference shall take place in 1941 unless the preliminary consultations should have shown that the holding of such a conference at that time would not be desirable or practicable.

(2) In the course of the consultation referred to in the preceding paragraph, views shall be exchanged in order to determine whether, in the light of the circumstances then prevailing and the experience gained in the interval in the design and construction of capital ships, it may be possible to agree upon a reduction in the standard displacement or calibre of guns of capital ships to be constructed under future annual programmes and thus, if possible, to bring about a reduction in the cost of capital ships.

#### Article 29

None of the provisions of the present Treaty shall constitute a precedent for any future treaty. Provisions herein not precedents.

#### Article 30

(1) The present Treaty shall be ratified by the Signatory Powers in accordance with their respective constitutional methods, and the instruments of ratification shall be deposited as soon as possible with His Majesty's Government in the United Kingdom, which will transmit certified copies of all the *procès-verbaux* of the deposits of ratifications to the Governments of the said Powers and of any country on behalf of which accession has been made in accordance with the provisions of Article 31. Deposit of instruments of ratification.

(2) The Treaty shall come into force on the 1st January, 1937, provided that by that date the instruments of ratification of all the said Powers shall have been deposited. If all the above-mentioned instruments of ratification have not been deposited by the 1st January, 1937, the Treaty shall come into force so soon thereafter as these are all received. Date of coming into force.

#### Article 31

(1) The present Treaty shall, at any time after this day's date, be open to accession on behalf of any country for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930, but for which the present Treaty has not been signed. The instrument of accession shall be deposited with His Majesty's Government in the United Kingdom, which will transmit certified copies of the *procès-verbaux* of the deposit to the Governments of the Signatory Powers and of any country on behalf of which accession has been made. Open for accessions.

(2) Accessions, if made prior to the date of the coming into force of the Treaty, shall take effect on that date. If made afterwards, they shall take effect immediately. Effective dates.

3. Si une accession intervient après la date d'entrée en vigueur du Traité, les renseignements suivants seront fournis par la Puissance qui accède, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'accession:

(a) Le premier programme annuel de construction et la première déclaration d'acquisition, comme prévu au paragraphe (a) de l'article 12 et à l'article 14, en ce qui concerne les bâtiments des classes et sous-classes mentionnées audit article 12 qui, déjà autorisés, n'ont pas encore été mis sur cale ou acquis.

(b) Une liste des bâtiments des classes et sous-classes susmentionnées, achevés ou acquis après la date d'entrée en vigueur du présent Traité, indiquant les caractéristiques de ces bâtiments, comme spécifié au paragraphe (b) de l'article 12, ainsi que les mêmes caractéristiques concernant de tels bâtiments qui ont été construits dans le ressort de la juridiction de la Puissance qui accède, après la date d'entrée en vigueur du présent Traité, pour le compte d'une Puissance non partie audit Traité.

(c) Les caractéristiques prévues au paragraphe (b) de l'article 12 concernant tous bâtiments des classes et sous-classes susmentionnées, en construction à ce moment pour le compte de la Puissance qui accède, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

(d) Des listes de tous les petits navires de combat et bâtiments auxiliaires avec les caractéristiques et les informations les concernant, comme prévu à l'article 19.

4. A titre de réciprocité, chacune des Hautes Parties Contractantes fournira au Gouvernement de tout pays au nom duquel il aura été accédé au Traité après la date d'entrée en vigueur de celui-ci, les renseignements indiqués au paragraphe (3) ci-dessus, à temps pour qu'ils parviennent à ce Gouvernement dans le délai visé audit paragraphe.

5. Aucune disposition de la partie III du présent Traité n'empêchera la Puissance qui accède audit Traité de mettre sur cale ou d'acquérir, à tout moment dans les quatre mois qui suivront la date de son accession, tout bâtiment précédemment autorisé, ou compris, ou à comprendre dans son premier programme annuel de construction ou sa première déclaration d'acquisition, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date de son accession.

#### *Article 32*

Le présent Traité, dont les textes français et anglais feront également foi, sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

(3) If accession should be made after the date of the coming into force of the Treaty, the following information shall be given by the acceding Power so as to reach all the other High Contracting Parties within one month after the date of accession:—

Data to be given  
other Contracting  
Parties by acceding  
Power.

(a) The initial Annual Programme of construction and declaration of acquisition, as prescribed by Articles 12 (a) and 14, relating to vessels already authorised, but not yet laid down or acquired, belonging to the categories or sub-categories mentioned in Article 12 (a).

*Ante*, pp. 1377, 1379.

(b) A list of the vessels of the above-mentioned categories or sub-categories completed or acquired after the date of the coming into force of the present Treaty, stating particulars of such vessels as specified in Article 12 (b), together with similar particulars relating to any such vessels which have been constructed within the jurisdiction of the acceding Power after the date of the coming into force of the present Treaty, for a Power not a party thereto.

(c) Particulars, as specified in Article 12 (b), of all vessels of the categories or sub-categories above-mentioned which are then under construction for the acceding Power, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His jurisdiction for a Power not a party to the present Treaty.

*Ante*, p. 1377.

(d) Lists of all minor war vessels and auxiliary vessels with their characteristics and information concerning them, as prescribed by Article 19.

*Ante*, p. 1381.

(4) Each of the High Contracting Parties shall reciprocally furnish to the Government of any country on behalf of which accession is made after the date of the coming into force of the present Treaty, the information specified in paragraph (3) above, so as to reach that Government within the period therein mentioned.

Data by signatories  
to acceding Power.

(5) Nothing in Part III of the present Treaty shall prevent an acceding Power from laying down or acquiring, at any time during the four months following the date of accession, any vessel included, or to be included, in His initial Annual Programme of construction or declaration of acquisition, or previously authorised, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of accession.

Construction or ac-  
quisition of vessels by  
acceding Power.

### *Article 32*

The present Treaty, of which the French and English texts shall both be equally authentic, shall be deposited in the Archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

French and English  
texts equally authen-  
tic.  
Deposit of treaty.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

### PROTOCOLE DE SIGNATURE.

Au moment de signer le Traité qui porte la date de ce jour, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, sont convenus des dispositions suivantes:

1. Si, avant l'entrée en vigueur du Traité susmentionné, les constructions navales d'une Puissance, ou un changement de circonstances, paraissent de nature à ne pas rendre désirable l'entrée en vigueur du Traité dans sa forme actuelle, les Puissances au nom desquelles le Traité a été signé se consulteront afin de déterminer s'il convient de modifier l'une quelconque de ses dispositions pour faire face à la situation qui se présenterait.

2. Au cas où le Traité n'entrerait pas en vigueur le 1<sup>er</sup> janvier 1937, et à titre provisoire, les Puissances susmentionnées se communiqueront rapidement, après la mise sur cale, l'acquisition ou l'achèvement de bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12 du Traité, les renseignements ci-dessous concernant lesdits bâtiments mis sur cale entre le 1<sup>er</sup> janvier 1937 et la date d'entrée en vigueur du Traité; il est entendu toutefois que cette obligation cessera ses effets après le 1<sup>er</sup> juillet 1937.

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Dimensions principales correspondant au déplacement type, à savoir:

longueur à la ligne de flottaison,

largeur maxima à ou sous la ligne de flottaison.

Tirant d'eau moyen correspondant au déplacement type.

Calibre du plus gros canon.

3. Le présent Protocole, dont les textes français et anglais feront également foi, entrera en vigueur à la date de ce jour. Il sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux Gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in London the 25th day of March, nineteen hundred and thirty-six.

Signatures.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

### PROTOCOL OF SIGNATURE.

At the moment of signing the Treaty bearing this day's date, the undersigned, duly authorised to that effect by their respective Governments, have agreed as follows:—

Protocol of signature.

1. If, before the coming into force of the above-mentioned Treaty, the naval construction of any Power, or any change of circumstances, should appear likely to render undesirable the coming into force of the Treaty in its present form, the Powers on behalf of which the Treaty has been signed will consult as to whether it is desirable to modify any of its terms to meet the situation thus presented.

2. In the event of the Treaty not coming into force on the 1st January, 1937, the above-mentioned Powers will, as a temporary measure, promptly communicate to one another, after the laying down, acquisition or completion of any vessels in the categories or sub-categories mentioned in Article 12 (a) of the Treaty, the information detailed below concerning all such vessels laid down between the 1st January, 1937 and the date of the coming into force of the Treaty, provided, however, that this obligation shall not continue after 1st July, 1937:—

Name or designation;  
 Classification of the vessel;  
 Standard displacement in tons and metric tons;  
 Principal dimensions at standard displacement, namely  
 length at waterline and extreme beam at or below  
 waterline;

Mean draught at standard displacement;  
 Calibre of the largest gun.

3. The present Protocol, of which the French and English texts shall both be equally authentic, shall come into force on this day's date. It shall be deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

Effective date of Protocol.



En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent protocole et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

#### PROTOCOLE ADDITIONNEL.

Les Plénipotentiaires soussignés expriment l'espoir que le jeu des préavis et des échanges de renseignements se poursuivra par voie d'accord international après l'expiration du Traité portant la date de ce jour, et que, dans tout traité ultérieur, il sera possible de parvenir à de nouvelles réductions dans les armements navals.

Fait à Londres, le 25 mars mil neuf cent trente-six.

NORMAN H. DAVIS  
WILLIAM H. STANDLEY  
CHARLES CORBIN  
ROBERT G.  
ANTHONY EDEN  
MONSELL  
STANHOPE  
VINCENT MASSEY  
S. M. BRUCE  
C. J. PARR  
R. A. BUTLER

In faith whereof the above-named Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done in London the 25th day of March, nineteen hundred and thirty-six.

Signatures.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

### ADDITIONAL PROTOCOL.

Additional Protocol.

The undersigned Plenipotentiaries express the hope that the system of Advance Notification and Exchange of Information will be continued by international agreement after the expiration of the Treaty bearing this day's date, and that it may be possible in any future Treaty to achieve some further measure of reduction in naval armament.

Advance notification and exchange of information.

Done in London the 25th day of March, nineteen hundred and thirty-six.

Signatures.

NORMAN H. DAVIS  
 WILLIAM H. STANDLEY  
 CHARLES CORBIN  
 ROBERT G.  
 ANTHONY EDEN  
 MONSELL  
 STANHOPE  
 VINCENT MASSEY  
 S. M. BRUCE  
 C. J. PARR  
 R. A. BUTLER

AND WHEREAS the said Treaty has been duly ratified on the parts of all the signatory Governments, and their respective instruments of ratification have been deposited with the Government of the United Kingdom of Great Britain and Northern Ireland, the last on the twenty-ninth day of July, one thousand nine hundred and thirty-seven, on which day the said Treaty came into force in accordance with the second paragraph of Article 30 thereof:

*Ante*, p. 1391.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty, Protocol of Signature and Additional Protocol to be made public to the end that the said Treaty and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof;

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Convention between the United States of America and Canada concerning income taxation. Signed at Washington, December 30, 1936; ratification advised by the Senate, August 6, 1937; ratified by the President, August 13, 1937; ratified by Canada, August 11, 1937; ratifications exchanged at Washington, August 13, 1937; proclaimed, August 16, 1937.*

December 30, 1936  
[T. S. No. 920]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS a reciprocal convention between the United States of America and Canada concerning rates of income tax imposed upon non-resident individuals and corporations was concluded and signed by their respective Plenipotentiaries at Washington, on the thirtieth day of December, one thousand nine hundred and thirty-six, a true copy of which reciprocal convention is word for word as follows:

Convention with  
Canada concerning in-  
come taxation.  
Preamble.

The Government of the United States of America and the Government of Canada, being desirous of concluding a reciprocal convention concerning rates of income tax imposed upon non-resident individuals and corporations, have agreed as follows:

Purposes declared.

#### ARTICLE I

The High Contracting Parties mutually agree that the income taxation imposed in the two States shall be subject to the following reciprocal provisions:

Reciprocal provi-  
sions.

- (a) The rate of income tax imposed by one of the Contracting States, in respect of income derived from sources therein, upon individuals residing in the other State, who are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation is imposed by the other State upon individuals residing in the former State who are not engaged in trade or business in such other State and do not have an office or place of business therein.
- (b) The rate of income tax imposed by one of the Contracting States, in respect of dividends derived from sources therein, upon non-resident foreign corporations organized under the laws of the other State, which are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation on dividends is imposed by the other State upon corporations organized under the laws of the former State which are not engaged in trade or business in such other State and do not have an office or place of business therein.

- (c) Either State shall be at liberty to increase the rate of taxation prescribed by paragraphs (a) and (b) of this article, and in such case the other State shall be released from the requirements of the said paragraphs (a) and (b).
- (d) Effect shall be given to the foregoing provisions by both States as and from the first day of January, nineteen hundred and thirty-six.

ARTICLE II

Inapplicable to U. S. citizens domiciled, etc., in Canada.

The provisions of this Convention shall not apply to citizens of the United States of America domiciled or resident in Canada.

ARTICLE III

Effective date.

This Convention shall be ratified and shall take effect immediately upon the exchange of ratifications which shall take place at Washington as soon as possible.

Signatures.

Signed, in duplicate, at Washington by the duly authorized representatives of the United States of America and Canada, this thirtieth day of December, in the year of our Lord, one thousand nine hundred and thirty-six.

For the United States of America:

[SEAL]

R. WALTON MOORE

*Acting Secretary of State*

For Canada:

[SEAL]

HERBERT M MARLER.

*Envoy Extraordinary and  
Minister Plenipotentiary*

Ratifications exchanged.

AND WHEREAS the said reciprocal convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the thirteenth day of August, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said reciprocal convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of August in the year of our Lord one thousand nine hundred and  
[SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

INTERNATIONAL AGREEMENTS  
OTHER THAN TREATIES

# INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

*Agreement between the United States of America and Brazil respecting a naval mission. Signed May 27, 1936; effective June 25, 1936.*

May 27, 1936  
[E. A. S. No. 94]

In conformity with the request made by the Ambassador of Brazil in Washington to the Secretary of State, the President of the United States of America, by virtue of the authority conferred by the Act of Congress of May 19, 1926, entitled "An Act To authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin-American Republics in military and naval matters", as amended by an Act of May 14, 1935, to include the Commonwealth of the Philippine Islands, has authorized the appointment of officers to constitute the Brazilian Naval Mission, under the conditions specified below:

De conformidade com o pedido feito pelo Embaixador do Brasil em Washington ao Secretario de Estado, o Presidente dos Estados Unidos da America, em virtude da autoridade conferida pela Lei do Congresso de 19 de Maio de 1926, intitulada "Lei que autoriza o Presidente a designar officiaes e homens alistados do exercito, marinha e corpo de infantaria de marinha para colaborar com os Governos das Republicas Latino-Americanas nos serviços militares e navaes" e alterada pela Lei de 14 de Maio de 1935 para incluir o "Commonwealth" das Ilhas Philippinas, autorizou a nomeação de Officiaes para constituirem a Missão Naval no Brasil, nas condições abaixo especificadas:

Agreement with  
Brazil respecting a  
naval mission.

44 Stat. 565; 49 Stat.  
218.

## ARTICLE I

1. The purpose of the Naval Mission is to cooperate with the Minister of Marine and the officers of the Brazilian Navy, with a view to enhancing the efficiency of the Brazilian Navy.

2. This contract when signed by the legal representatives of

## ARTIGO I

1. O fim da Missão Naval é cooperar com o Ministro da Marinha e com os Officiaes da Armada do Brasil no sentido de augmentar a eficiencia da Marinha de Guerra Brasileira.

2. Este contracto, uma vez assinado pelos representantes au-

Purpose.

Effective date of  
contract.

## Duration.

the United States of America and the United States of Brazil shall be effective as of June 25, 1936 (the expiration date of the present contract). It provides for an extension of the Mission for a period of four years from the above date unless terminated sooner or prolonged further than provided here.

3. If the Government of Brazil shall desire the services of the Mission to be prolonged, in whole or in part, beyond the period stipulated, a proposal to that effect must be made six months before the termination of this agreement.

4. If it should be necessary, in the interest of either of the two Governments, for the present agreement or an extension thereof to be terminated before the time specified, the Government desiring this must notify the other Government three months in advance.

5. It is here stipulated and agreed that as long as the Mission is functioning under this agreement or an extension thereof, the Government of Brazil will not contract for the services of any mission or personnel of any other foreign Government for the duties and purposes treated of in this agreement.

torizados dos Estados Unidos da America e dos Estados Unidos do Brasil, começará a vigorar a partir de 25 de Junho de 1936 (data da expiração do actual contracto). Elle estabelece uma prorrogação da Missão por um periodo de quatro annos, contado da data acima, a menos que termine mais cedo ou que se prolongue mais do que aqui é estabelecido.

3. Se o Governo do Brasil de-sejar que o serviço da Missão se prolongue, no todo ou em parte, alem do periodo estipulado, uma proposta para esse fim deve ser feita seis mezes antes do termo deste accôrdo.

4. Se fôr necessario, no interesse de qualquer dos dois Governos, que se termine o presente contracto ou seu prolongamento antes do tempo especificado, o Governo que o desejar deverá notificar o outro três mezes antes.

5. É aqui estipulado e accordado que emquanto a Missão funcionar sob este accôrdo, ou prolongamento delle, o Governo do Brasil não contractará os serviços de qualquer Missão ou pessoal de qualquer outro Governo estrangeiro para as funcções e fins tratados neste accôrdo.

## ARTICLE II

## ARTIGO II

## Composition and personnel.

1. The Naval Mission shall be composed, in addition to the two officers who are already in Brazil on similar duty, of six (6) additional officers of the United States

1. A Missão Naval compor-se-á, alem dos dois Officiaes que já se encontram no Brasil em serviços semelhantes, de mais seis (6) Officiaes da Marinha dos Estados



Navy, on the active list, and two (2) additional chief yeomen, and two (2) aviation chief petty officers or petty officers, first class. This personnel shall be chosen by the Navy Department of the United States of America, in agreement, however, with the Brazilian Government.

2. These officers shall have the ranks named below and shall be assigned to the following duties:

- 1 Captain, as Chief of the Naval Mission;
- 1 Commander, for the Section of Tactics of the Naval War School;
- 1 Lieutenant - Commander, for duties connected with naval communications, cryptanalysis and cryptography;
- 1 Lieutenant-Commander, for the Section of Strategy of the Naval War School;
- 1 Lieutenant - Commander, for duties connected with the use of the arms used in the Navy;
- 1 Lieutenant - Commander, for duties connected with engines, boilers, motors and repairs thereto;
- 1 Lieutenant - Commander or Lieutenant, Senior Grade, a naval aviator, for aviation duties in connection with the operations, engineering and armament of that arm;
- 1 Lieutenant - Commander or Lieutenant, Senior Grade, a Naval Constructor, for duties in connection with plans for naval construction, repairs to ships and work at arsenals.

For any of the duties specified for Lieutenant-Commanders or Lieutenants, three Commanders may be substituted.

Unidos, do quadro da activa, e de mais dois (2) sub-officiaes escreventes, e de dois (2) sub-officiaes ou primeiros-sargentos de aviação. Esse pessoal será escolhido pelo Ministerio da Marinha dos Estados Unidos da America, de accôrdo, porem, com o Governo Brasileiro.

2. Esses Officiaes terão os postos abaixo mencionados e se destinam ás seguintes funcções:

- 1 Capitão de Mar e Guerra, para Chefe da Missão Naval;
- 1 Capitão de Fragata, para a Secção de Tactica da Escola de Guerra Naval;
- 1 Capitão de Corveta, para os serviços relativos a Comunicações Navaes, cryptanalyse e cryptographia;
- 1 Capitão de Corveta, para a Secção de Estrategia da Escola de Guerra Naval;
- 1 Capitão de Corveta, para os serviços relativos ao emprego das armas usadas na Marinha;
- 1 Capitão de Corveta, para os serviços relativos a machinas, caldeiras, motores e reparos respectivos;
- 1 Capitão de Corveta, ou um Capitão Tenente antigo, Aviador Naval, para os serviços de Aviação referentes a operações, engenharia e armamento dessa arma;
- 1 Capitão de Corveta ou Capitão Tenente Antigo, Engenheiro de Construcção Naval, para os serviços relativos a planos de construcção naval, reparos de navios e trabalhos de arsenaes.

Para quaesquer das funcções especificadas para Capitães de Corveta ou Capitães-Tenentes, podem ser designados três Capitães de Fragata.

3. The non-commissioned personnel (chief petty officers or petty officers, first class) of the Naval Mission shall be assigned, in turn, to the following duties:

- 2 aviation chief petty officers or petty officers, first class, one for duties in connection with engines and the other for duties in connection with the armament of the same arm;
- 3 chief yeomen, for duty in the office of the Naval Mission itself.

4. Any augmentation of the personnel of the Mission that is considered suitable or necessary shall be considered as a supplement to this agreement.

3. O pessoal subalterno (Sub-Oficiais ou Sargentos) da Missão Naval destinam-se, por sua vez, ás seguintes funções:

- 2 Sub-Oficiais de Aviação ou Primeiros Sargentos, um para os serviços de motores e outro para os serviços de armamento da mesma arma;
- 3 Sub-Oficiais escreventes para os serviços de escripturação da propria Missão Naval.

4. Qualquer augmento de pessoal da Missão que se julgar conveniente ou necessario, será considerado como additamento a este accôrdo.

### ARTICLE III

### ARTIGO III

Rank, duties, etc.

1. The members of the Naval Mission shall be subordinate only to the Brazilian Minister of Marine, through their own Chief.

2. It is the duty of the Naval Mission to advise, through the Minister of Marine, the Chief of Staff of the Navy, the Directors of Instruction, of the Naval War School, of the Naval Arsenal, of Naval Engineering and of Aeronautics, cooperating with them in all matters within their province, always indicating the necessary measures, as well as the training to be given, for the greater efficiency of the Navy.

3. In case of war between Brazil and any other nation, the Mission shall terminate. In case of civil war, no member of the Mission shall take part in operations in any capacity.

4. The members of the Mission shall retain the rank that they hold in the United States Navy. Their precedence with respect to

1. Os membros da Missão Naval ficarão unicamente subordinados ao Ministro da Marinha, por intermedio do seu proprio Chefe.

2. É dever da Missão Naval aconselhar, por intermedio do Ministro da Marinha, o Chefe do Estado Maior da Armada, os Directores do Ensino, da Escola de Guerra Naval, do Arsenal de Marinha, da Engenharia Naval e da Aeronautica, com elles cooperando em todos os assumptos da sua competencia, indicando sempre as providencias necessarias, bem como a instrucção a ministrar-se para a maior eficiencia da Marinha de Guerra.

3. Em caso de guerra entre o Brasil e qualquer outra Nação, terminará a Missão. Em caso de guerra civil nenhum membro da Missão tomará parte nas operações em qualquer categoria.

4. Os membros da Missão conservarão a graduação que têm na Marinha dos Estados Unidos. Sua precedencia em relação aos

Brazilian officers shall be according to seniority. The members of the Mission shall use only the uniform of the Navy of the United States of America.

Officiaes brasileiros será de acôrdo com a antiguidade. Os membros da Missão só usarão o uniforme da Marinha dos Estados Unidos da America.

## ARTICLE IV

1. The members of the Naval Mission shall receive for their services the following annual remuneration paid by Brazil, in Brazilian paper money:

Captain.....	77:000\$000
Commander.....	66:000\$000
Lieutenant-Comman- der.....	60:000\$000
Lieutenant.....	54:000\$000
Chief Petty Officer..	27:500\$000
Petty Officer, first class.....	22:000\$000

If a member of the Mission be promoted he shall enjoy all the benefits of this contract from the date of his new commission in the grade to which promoted.

2. The pay of the members of the Mission shall begin on the date of the departure from New York and shall continue, after the service of the Mission has been concluded, to the date of the arrival at New York, traveling by the usual route. Any member of the Mission who returns to the United States of America after serving less than two years, except in case of illness, or who returns at the request of the Brazilian Government, in accordance with section 1 of Article V, shall receive his full pay only until the date of departure from Rio de Janeiro.

3. It is further stipulated that said remuneration shall not be subject to any Brazilian tax in force, or which may be established subsequently.

## ARTIGO IV

1. Aos membros da Missão Naval caberá, pelos seus serviços, a seguinte remuneração annual, paga pelo Brasil, em moeda brasileira papel:

Capitão de Mar e Guerra.....	77:000\$000
Capitão de Fragata..	66:000\$000
Capitão de Corveta..	60:000\$000
Capitão Tenente....	54:000\$000
Sub-Official .....	27:500\$000
Primeiro Sargento..	22:000\$000

Compensation and allowances.

Se um membro da Missão for promovido, gozará de todos os privilegios deste contracto desde a data de sua promoção, no novo posto.

2. O pagamento dos membros da Missão começará da data da partida de Nova York e continuará, concluído o serviço da Missão, até a data da chegada em Nova York, viajando pela via usual. Qualquer membro da Missão que voltar aos Estados Unidos da America depois de servir menos de dois annos, excepto em caso de doença, ou que voltar a pedido do Governo Brasileiro, de accôrdo com o paragrafo 1 do Artigo V, só receberá pagamento integral até a data da partida do Rio de Janeiro.

Post, p. 1411

3. Fica alem disso estipulado que esta remuneração não estará sujeita a imposto algum brasileiro em vigor, ou que possa ser creado posteriormente.

4. The expenses of land and sea transportation of the members of the Mission, their families (as defined in paragraph 6 below), household effects and baggage, and in the case of commissioned officers one automobile per officer, from New York to Rio de Janeiro, shall be paid by the Brazilian Government, in advance by the representative of the said Government, first class passage being provided for the officers and their families, and minimum first class passage for the chief petty officers, petty officers first class, and their families. The following supplementary indemnity shall also be allowed for the expenses of installation of each member of the Mission:

7:000\$000 (paper) for officers  
(seven contos of reis)

2:000\$000 (paper) for chief  
petty officers and petty officers,  
first class (two contos  
of reis).

The household effects, baggage, and in the case of commissioned officers their automobiles, of the personnel of the Mission and their families shall be exempt from customs duties and taxes of any kind in Brazil.

5. The members of the Mission who remain in Brazil two or more years shall be entitled to payment of the expenses of their return transportation, and that of their families, household effects, baggage, and in the case of commissioned officers their automobile, from Rio de Janeiro to New York. Said expenses include first class passage for the families of the officers and minimum first class passage for the chief petty officers and petty officers first class.

4. As despesas de transporte por terra e mar dos membros da Missão, suas famílias (como definido no paragrafo 6 do presente artigo) objectos de casa e bagagem, e, no caso dos Officiaes, um automovel por Official, de Nova York ao Rio de Janeiro, serão pagas pelo Governo Brasileiro, adeantadamente, pelo representante desse Governo, fornecendo-se aos Officiaes e suas famílias passagens de primeira classe e aos sub-officiaes, sargentos e suas famílias passagens de primeira classe de preço minimo. Será também concedida a seguinte ajuda de custo adicional para as despesas de instalação de cada membro da Missão:

7:000\$000 (papel) para os Officiaes (sete contos de reis)

2:000\$000 (papel) para os Sub-Officiaes e Sargentos (dois contos de reis).

Os objectos de casa, bagagem e, no caso dos Officiaes, seus automoveis, do pessoal da Missão e suas famílias, estarão isentos dos direitos aduaneiros e impostos de qualquer classe no Brasil.

5. Os membros da Missão que permanecerem no Brasil dois ou mais annos terão direito ao pagamento das despesas de transporte de volta, de suas famílias, de seus objectos de casa e bagagem e, no caso dos Officiaes, de seus automoveis, do Rio de Janeiro a Nova York. Essas despesas comprehendem passagens de primeira classe para as famílias dos Officiaes e de primeira classe de preço minimo para os dos Sub-Officiaes e Sargentos.

5(a). The return transportation for any member of the families of the members of the Mission from Rio de Janeiro to New York shall be furnished at any time after their arrival in Brazil upon request of the Senior Member of the Mission. In case the member be detached from the Mission in accordance with either paragraphs 1 or 3 of Article V before two years service in Brazil, the cost of transportation for himself and family to the United States of America shall be borne by the Government of the United States of America, and the amount of the transportation already furnished his family shall be deducted from money due him from the Brazilian Government or, if this be insufficient, repaid to the Brazilian Government by the member himself.

6. During the stay of the Mission in Brazil, the Government of Brazil will grant, upon the request of the Chief of the Mission, free entry for articles for the personal use of the members of the Mission and their families, there being considered as families the parents, wives, minor sons, unmarried daughters and sisters, while they are living in Brazil as part of the family of the respective member of the Mission.

7. After two years of service on the Mission, each member shall be entitled to a three months' furlough with full pay in Brazilian currency, including travel time, with the right to leave Brazil. The Chief of the Mission shall see to it that the said furloughs affect the interests of the Brazilian Navy as little as possible.

5(a). O transporte de regresso de qualquer pessoa das famílias dos membros da Missão do Rio de Janeiro para Nova York será fornecido em qualquer tempo após a chegada ao Brasil, mediante pedido do Chefe da Missão. No caso do membro da Missão ser desligado de accôrdo com qualquer dos paragraphos 1 ou 3 do Artigo V antes de dois annos de serviço no Brasil, o custeio do seu transporte e de sua familia caberá ao Governo dos Estados Unidos da America, sendo a importancia já fornecida para o transporte da sua familia deduzida do dinheiro que tiver a receber do Governo Brasileiro ou, no caso de ser insufficiente, indemnizada ao Governo Brasileiro pelo proprio membro da Missão.

*Post*, pp. 1411, 1412.

6. Durante a permanencia da Missão no Brasil, o Governo do Brasil concederá, mediante pedido do Chefe da Missão, entrada livre para os artigos de uso pessoal dos membros da Missão e de suas familias; considerando-se familias os paes, mulheres, filhos menores, filhas e irmãs solteiras, uma vez que estejam morando no Brasil como parte da familia do respectivo membro da Missão.

7. Depois de dois annos de serviço na Missão, cada membro fará jús a uma licença de três mezes com vencimentos integraes em moeda brasileira, inclusive o tempo de viagem, com o direito de se ausentar do Brasil. O Chefe da Missão providenciará para que essas licenças prejudiquem o menos possivel os interesses da Marinha Brasileira.

8. Members of the Mission who become ill, shall, at the discretion of the Chief of the Mission, be placed by the Brazilian Government in the hospital that the Chief of the Mission deems suitable, after discussion with the Brazilian authorities.

9. In case of official travel or service at sea, rendered by any member of the Mission, he shall receive during such time, full pay; also allowances equivalent to those granted to the personnel of the Brazilian Navy, of the same rank, under like circumstances.

10. The officers of the Mission shall be granted the same rights and privileges as are customarily enjoyed by diplomatic representatives of corresponding rank accredited to Brazil, except with respect to the rights of importation already treated of in a preceding clause.

11. Whenever it be necessary for the official service, an automobile with a chauffeur, or a launch properly equipped, shall be placed at the disposal of the members of the Mission.

12. Suitable offices shall be placed at the disposal of the members of the Mission.

13. Each officer of the Mission shall have, as assistant or collaborator, in all his functions, a Brazilian officer designated by the Minister of Marine.

14. If this contract should be cancelled at the request of the United States of America, all the expenses connected with the return of the Mission, their families, household effects, baggage, and in the case of commissioned officers their automobiles, to the

8. Os membros da Missão que venham a adoecer, serão, a juízo do Chefe da Missão, internados pelo Governo Brasileiro no Hospital que o Chefe da Missão julgar conveniente, depois de ouvidas as autoridades brasileiras.

9. No caso de viagem ou serviço oficial no mar, prestado por qualquer membro da Missão, receberá elle, durante esse tempo vencimentos integraes e quantitativos equivalentes aos concedidos ao pessoal da Marinha Brasileira, de identica graduação, em condições semelhantes.

10. Serão concedidos aos Officiaes da Missão os mesmos direitos e privilegios de que gozam habitualmente os representantes diplomaticos de categoria correspondente acreditados no Brasil, excepto no que diz respeito aos direitos de importação já tratados em clausula anterior.

11. Quando fôr necessario para o serviço official, será posto á disposição dos membros da Missão, um automovel com chauffeur ou uma lancha convenientemente equipada.

12. Deverão ser postos á disposição dos membros da Missão escriptorios adequados.

13. Cada Official da Missão terá, como assistente ou collaborador, em todas as suas funções, um official brasileiro nomeado pelo Ministro da Marinha.

14. Se este contracto for rescindido a pedido dos Estados Unidos da America, todas as despesas com a volta da Missão, suas familias, objectos de casa e bagagem e, no caso dos Officiaes, seus automoveis, aos Estados Unidos da America, serão feitas

United States of America, shall be borne by that Government. If, however, it should be at the initiative of the Brazilian Government, the latter Government shall bear all the expenses connected with the return to the United States of America, of the Mission, their respective families, household effects, baggage, and in the case of commissioned officers their automobiles, according to the stipulations of paragraphs 2 and 5 of this Article; and the Brazilian Government shall, in addition, pay to each officer an amount equal to three months' pay.

#### ARTICLE V

1. The United States of America may, should the public interest so require, recall at any time a part or all of the members of the Mission, replacing them by other officers, chief petty officers or petty officers first class, to the satisfaction of the Brazilian Government, and the corresponding expenses shall be chargeable to the Government of the United States of America. If, at the request of the Brazilian Government, a member of the Mission should be withdrawn for a reason other than the completion of his services on the Mission, all the expenses of his return shall be chargeable to the United States of America.

2. Any member of the Mission may be relieved at the request of the Government of the United States of America after two years of service, being replaced by members of equal commission (patente) and rank agreeable to the Brazilian Government.

por esse Governo. Se, porem, o fôr por iniciativa do Governo Brasileiro, este Governo fará face a todas as despesas com o regresso aos Estados Unidos da America, da Missão, respectivas familias, objectos de casa e bagagem e, no caso dos Officiaes, seus automoveis, de accôrdo com as estipulações dos paragraphos 2 e 5 deste artigo, devendo, outrosim, o Governo Brasileiro pagar a cada official uma quantia equivalente a três mezes de vencimentos.

#### ARTIGO V

1. Os Estados Unidos da America poderão, se o interesse publico o exigir, retirar em qualquer tempo, parte ou todos os membros da Missão, substituindo-os por outros officiaes, sub-officiaes ou sargentos, do agrado do Governo Brasileiro, devendo as despesas respectivas correr por conta do Governo dos Estados Unidos da America. Se, a pedido do Governo Brasileiro, algum membro da Missão for retirado por outro motivo que não o da terminação dos serviços na Missão, todas as despesas com o regresso correrão por conta dos Estados Unidos da America.

Recall and replacement of members of the Mission.

2. Qualquer membro da Missão poderá ser exonerado a pedido pelo Governo dos Estados Unidos da America depois de dois annos de serviço, sendo substituído por membros de igual patente e classe da conveniencia do Governo Brasileiro.

3. No member of the Mission relieved upon request before completing two years of service, shall be entitled to traveling expenses and transportation of baggage at the expense of the Brazilian Government.

4. If any member of the Mission should be obliged by illness to leave the service, the Brazilian Government shall pay the expenses of return to the United States of America in the manner provided above for members with more than two years of service.

5. If any member of the Mission, or a person in his family, should die in Brazil, the Brazilian Government shall have the body transported to such place in the United States of America as the family of the deceased may indicate. If the deceased should be a person under contract the Brazilian Government shall pay the transportation expenses of his family, household effects and baggage, and, in the case of commissioned officers, their automobiles to New York.

6. In case of replacement of a member of the Mission, all the stipulations of this agreement, except in cases of express provision to the contrary, shall apply to the member replacing him, including those specified in paragraphs 2 and 4 of Article IV.

IN WITNESS WHEREOF, the undersigned, duly authorized, sign this contract in two texts, each one in the English and Portuguese languages, at Washington, this twenty-seventh day of May, 1936.

3. Nenhum membro da Missão exonerado a pedido antes de dois annos de serviço, fará jús ás despesas de viagem e transporte de bagagem á custa do Governo Brasileiro.

4. Se algum membro da Missão fôr obrigado por doença a deixar o serviço, o Governo Brasileiro pagará as despesas de regresso aos Estados Unidos da America na forma acima estabelecida para os membros com mais de dois annos de serviço.

5. Se algum membro da Missão, ou pessoa de sua familia, fallecer no Brasil, o Governo Brasileiro fará transportar o corpo para o logar dos Estados Unidos da America que a familia do morto indicar. Se o morto fôr um dos contractados, o Governo Brasileiro pagará as despesas de viagem da familia, objectos de casa e bagagem e, no caso dos Officiaes, de seus automoveis, até Nova York.

6. No caso de substituição de um membro da Missão, todas as clausulas deste accôrdo, excepto nos casos de disposição expressa em contrario, se applicarão ao substituto, inclusive as especificadas nos paragraphos 2 e 4 do Artigo IV.

EM TESTEMUNHO DO QUE, os abaixo assignados devidamente autorizados, assignam o presente contracto em dois textos, cada um nos idiomas Inglez e Portuguez, em Washington aos vigesimo setimo dia do mez de Maio de 1936.

CORDELL HULL

OSWALDO ARANHA

*Ante*, pp. 1407, 1408.

Signatures.



*Agreement between the United States of America and Nicaragua respecting reciprocal trade. Signed at Managua, March 11, 1936; proclaimed by the President of Nicaragua, August 31, 1936; proclaimed by the President of the United States, September 1, 1936; effective, October 1, 1936.*

March 11, 1936  
[E. A. S. No. 95]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade  
agreement with Nica-  
ragua.  
48 Stat. 943.  
19 U. S. C. § 1351.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

Statutory provi-  
sions.

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Nicaragua are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Nicaragua;

46 Stat. 708; 48 Stat. 943.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement on March 11, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Nicaragua through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Nicaragua, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have, through their respective Plenipotentiaries, arrived at the following Agreement:

El Presidente de los Estados Unidos de América y el Presidente de la República de Nicaragua, deseosos de estrechar los vínculos tradicionales de amistad entre los dos países, por el mantenimiento del principio de igualdad de tratamiento como base de sus relaciones comerciales y por el otorgamiento de concesiones y ventajas mutuas y recíprocas para la promoción del comercio, han celebrado por medio de sus respectivos Plenipotenciarios, el siguiente Convenio:

#### ARTICLE I

#### ARTICULO I.

Enumerated imports into Nicaragua.  
Post, p. 1426.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Nicaragua, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter

No excess duties, etc.

Los artículos cosechados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Lista No. I anexa a este Convenio, y del cual forma parte, serán eximidos al ser importados en la República de Nicaragua, del pago de derechos ordinarios de aduana que excedan a los especificados en dicha Lista. Tales artículos estarán asimismo exentos del pago de todo otro derecho, impuesto, contribución, cargo o exacción establecidos sobre la importación o en relación con ella, que exceda de los previstos, o cuya percepción fuere exigible por leyes de la República de Nic-

under laws of the Republic of Nicaragua in force on the day of the signature of this Agreement.

### ARTICLE II

Articles the growth, produce or manufacture of the Republic of Nicaragua, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the United States of America in force on the day of the signature of this Agreement.

As long as the quota provisions of the Act "to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved by the President of the United States of America on May 9, 1934, are operative, any sugar imported into the United States of America from the Republic of Nicaragua with respect to which a drawback of duty is allowed, under the provisions of Section 313 of the Tariff Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture of the United States of America for the Republic of Nicaragua.

### ARTICLE III

The United States of America and the Republic of Nicaragua agree that the notes included in Schedules I and II are hereby given force and effect as integral parts of this Agreement.

### ARTICLE IV

Articles the growth, produce or manufacture of the United States of America or the Republic of

aragua en vigor el día en que este convenio sea firmado.

### ARTICULO II.

Los artículos cosechados, producidos o manufacturados en la República de Nicaragua, enumerados y descritos en la Lista No. II anexa a este Convenio, y del cual forma parte, serán eximidos al ser importados en los Estados Unidos de América, del pago de derechos ordinarios de Aduana que excedan a los especificados en dicha Lista. Tales artículos estarán asimismo exentos del pago de todo otro derecho, impuesto, contribución, cargo o exacción establecidos sobre la importación o en relación con ella, que exceda de los previstos, o cuya percepción fuere exigible por leyes de los Estados Unidos de América en vigor el día en que este convenio sea firmado.

Specified imports from Nicaragua.  
Post, p. 1430.

No excess duties, etc.

Mientras estén en vigor las disposiciones de cuota del Acta "para incluir remolachas y caña de azúcar como productos básicos agrícolas bajo el Agricultural Adjustment Act, y para otros fines", aprobado por el Presidente de los Estados Unidos de América el 9 de Mayo de 1934, cualquier azúcar, importado a los Estados Unidos de América de la República de Nicaragua con respecto al cual un "drawback" de derechos (de aduana) esté permitido, bajo las disposiciones de la Sección 313 del Tariff Act of 1930, no será cargado en la cuota establecida por el Secretario de Agricultura de los Estados Unidos de América para la República de Nicaragua.

48 Stat. 670.  
7 U. S. C. § 608a.

46 Stat. 693.  
19 U. S. C. § 1313.

### ARTICULO III.

Los Estados Unidos de América y la República de Nicaragua convienen en que a las notas incluídas en las Listas I y II, se les dé por este Convenio fuerza y efectos como partes integrantes del mismo.

Notes in schedules considered part of Agreement.  
Post, pp. 1428, 1430.

### ARTICULO IV.

Los Artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la

Internal tax exemption.

Nicaragua, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

## ARTICLE V

Ad valorem duties.  
Determination, etc.,  
of rates.  
*Post*, pp. 1426, 1430.

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Nicaragua, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under presently existing laws and regulations of the Republic of Nicaragua and the United States of America, respectively.

## ARTICLE VI

No quantitative regulation.

1. No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Republic of Nicaragua on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of the Republic of Nicaragua, enumerated and described in Schedule II.

*Post*, p. 1426.

*Post*, p. 1430.

Exceptions.

2. The foregoing provision shall not apply to:

- (a) Prohibitions or restrictions
- (1) related to public security;
- (2) imposed on moral or human-

República de Nicaragua, estarán, después de su importación en el otro país, exentos de impuestos, contribuciones, cargos o exacciones internos, diferentes o en exceso a los exigibles sobre artículos análogos de origen nacional o de cualquier otro país extranjero.

## ARTICULO V.

Con respecto a los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de Nicaragua, enumerados y descritos en las Listas I y II, respectivamente, importados en el otro país, sobre los cuales se impongan o puedan imponerse aforos ad valorem o derechos basados o regulados en cualquier forma por el valor, se entiende y conviene que las bases y métodos para determinar el valor sujeto a derechos y la conversión de monedas, no serán menos favorables a los importadores que las bases y métodos prescritos por las leyes y reglamentos actualmente existentes de la República de Nicaragua y de los Estados Unidos de América, respectivamente.

## ARTICULO VI.

1.—Ninguna prohibición, cuota aduanera o de importación, permiso de importar o cualquier otra forma de reglamentación cuantitativa, sea que se opere o no en relación con cualquier agencia de control centralizada, será impuesta por la República de Nicaragua sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en los Estados Unidos de América, enumerado y descrito en la Lista I, ni por los Estados Unidos de América sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en la República de Nicaragua, enumerado y descrito en la Lista II.

2.—La disposición precedente no será aplicable a:

- (a) Prohibiciones o restricciones
- (1) las relacionadas con la seguridad pública;
- (2) las im-

itarian grounds; (3) designed to protect human, animal or plant life; (4) relating to prison-made goods; (5) relating to the enforcement of police or revenue laws; or

(b) Quantitative restrictions in whatever form imposed by the United States of America or by the Republic of Nicaragua on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of

puestas por razones morales o humanitarias; (3) encaminadas a proteger la vida humana, animal o vegetal; (4) relativas a mercaderías fabricadas en prisiones; (5) relacionadas con el cumplimiento de leyes de policía o fiscales; o

(b) Restricciones cuantitativas en cualquier forma, impuestas por los Estados Unidos de América o por la República de Nicaragua sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en el otro país, relacionadas con disposiciones gubernativas destinadas a reglamentar o controlar la producción, el abastecimiento o los precios de artículos nacionales semejantes o tendientes a aumentar el costo de labor de la producción de tales artículos. En caso de que el Gobierno de uno cualquiera de los dos países se proponga establecer o modificar cualquiera de las restricciones autorizadas por este inciso, dará aviso por escrito de su intento al otro Gobierno y proporcionará a éste la oportunidad de discutir con él respecto a los cambios proyectados, dentro de treinta días después de recibido dicho aviso; y si no se llegase a un acuerdo dentro de los treinta días siguientes al recibo del mencionado aviso, el Gobierno que se proponga tomar tales medidas quedará en libertad de llevarlas a cabo en cualquier momento posterior; y el otro Gobierno quedará en libertad, dentro de quince días de tomadas tales medidas, de dar por terminado en todas sus partes este Convenio, dando aviso por escrito con treinta días de anticipación.

3.—Es entendido que las disposiciones de este artículo no afectan la aplicación de medidas dirigidas contra el uso de etiquetas falsas, adulteraciones y otras prácticas fraudulentas tales como las previstas en la Ley sobre Pureza de Drogas y Alimentos de los Estados Unidos de América; o la aplicación de medidas contra prácticas desleales en el comercio de importación, tales como las

Notice of proposed restriction, etc.

Right to abrogate.

Fraudulent practices.

46 Stat. 703.

the United States Tariff Act of 1930.

previstas en la Sección 337 de la Tarifa aduanera del año 1930 de los Estados Unidos de América.

#### ARTICLE VII

Benefits granted where a lower rate is imposed on portion of imports, etc.

1. If the Government of the United States of America or the Republic of Nicaragua establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted.

Import licenses, etc.

2. Neither the United States of America nor the Republic of Nicaragua shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country

#### ARTICULO VII.

1.—En caso de que el Gobierno de los Estados Unidos de América o el de la República de Nicaragua establezca o mantenga cualquier forma de restricción cuantitativa o de control de la importación o venta de cualquier artículo en el cual tenga interés el otro país o imponga sobre la importación o venta de un artículo en determinada cantidad una tarifa o gravamen más bajo que los establecidos sobre importaciones en exceso de tal cantidad, el Gobierno que así proceda deberá:

(a) Dar aviso público de la cantidad total, o de cualquier cambio introducido, de cualquiera de dichos artículos, cuya importación o venta sea permitida o los cuales puedan ser importados o vendidos al mencionado tipo reducido de tarifa o gravamen, durante un período determinado;

(b) Asignar al otro país, durante tal período, una cuota de la cantidad total fijada al principio o subsiguientemente alterada en cualquier forma, equivalente a la proporción de la importación total de dicho artículo que el otro país haya abastecido durante un período anterior análogo, a menos que se acuerde mutuamente prescindir de tal asignación; y

(c) Dar aviso público de las asignaciones que de tal cantidad les corresponde a los diferentes países exportadores, y en todo tiempo, mediante solicitud, informar al Gobierno del otro país la cantidad de tal artículo, cosechado, producido o manufacturado en cualquier país exportador, que haya sido importada o vendida, o para el cual se haya concedido licencia o permiso de importación o venta.

2.—Ni los Estados Unidos de América ni la República de Nicaragua regularán la cantidad de importaciones totales a su territorio, o ventas en el mismo, de cualquier artículo en el cual tenga in-

has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

#### ARTICLE VIII

In the event that the Government of the United States of America or the Government of the Republic of Nicaragua establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

#### ARTICLE IX

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Nicaragua to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so

terés el otro país, por medio de licencias o permisos de importación otorgados a individuos u organizaciones, a menos que haya sido fijada la cantidad total del artículo cuya venta o importación pueda permitirse durante un período de cuota no menor de tres meses, y que los reglamentos que rijan el otorgamiento de dichas licencias o permisos hayan sido publicados antes de haber sido puestos en vigor.

#### ARTICULO VIII.

En caso de que el Gobierno de los Estados Unidos de América o el de la República de Nicaragua establezca o mantenga un monopolio para la importación, producción o venta de un artículo especial o conceda privilegios exclusivos en forma legal o de hecho a una o más agencias, para importar, producir o vender un artículo especial, el Gobierno del país que establezca o mantenga dicho monopolio o que conceda tales privilegios exclusivos, conviene en que en lo que respecta a las compras en el exterior de tal monopolio o agencia, el comercio del otro país deberá recibir un tratamiento justo y equitativo. Al efecto se conviene en que al hacer sus compras de cualquier producto en el exterior, tal monopolio o agencia resolverá sus operaciones en vista solamente de consideraciones tales como precio, calidad y posibilidades y condiciones de venta que ordinariamente serían tomadas en cuenta por una empresa comercial privada interesada unicamente en comprar tal producto bajo las condiciones más favorables.

Treatment of Government monopolies.

#### ARTICULO IX.

Las ventajas tarifarias y otros beneficios estipulados en este Convenio concedidos por los Estados Unidos de América y por la República de Nicaragua mutuamente, quedan sujetas a la condición de que si el Gobierno de cualquiera de los dos países establece o mantiene directa o indirectamente cualquier forma de control de cambio extranjero, deberá administrar

Control of foreign exchange.

as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration with respect to application of Article.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article, and if, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

Extension of advantage, etc., granted any other country.

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter

dicho control de manera que asegure a los nacionales, y al comercio del otro país, la obtención de una cuota justa y equitativa en la distribución de los cambios.

Con respecto al cambio que sea declarado disponible para transacciones comerciales, se conviene que el Gobierno de cada país deberá guiarse en la administración de cualquier forma de control de cambios extranjeros, por el principio de que, y tan aproximadamente como sea posible determinar, la porción del cambio total disponible que sea asignada al otro país, no deberá ser inferior a la porción correspondiente a un período representativo anterior a la época del funcionamiento del control de cambio para el arreglo de obligaciones comerciales contraídas con los nacionales del otro país.

El Gobierno de cada país prestará consideración amistosa a cualesquiera representaciones que el otro Gobierno pueda hacer con respecto a la aplicación de las estipulaciones de este artículo; y si dentro de treinta días después de recibidas tales representaciones no se ha hecho un ajuste satisfactorio, o no se ha llegado a un arreglo con respecto a tales representaciones, el Gobierno que las haga, puede, dentro de quince días después de la expiración del período antedicho de treinta días, dar por terminado este Artículo o este Convenio en su totalidad treinta días después de haberlo notificado por escrito.

## ARTICLE X

## ARTICULO X.

En lo concerniente a derechos aduaneros o gravámenes de cualquier clase, impuestos sobre o en relación con importaciones o exportaciones, y con respecto al método de aplicación de tales derechos o gravámenes, lo mismo que en lo referente a todos los reglamentos y formalidades relacionados con la importación o exportación, y con respecto a todas las leyes o reglamentos que afectan la venta o uso dentro del país, de las mercaderías importadas,



be granted by the United States of America or by the Republic of Nicaragua to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Nicaragua or the United States of America, respectively.

## ARTICLE XI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of Nicaragua, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico, and excepting any provisions specifically adopted by the Government of Nicaragua in relation to ports on the Atlantic Coast.

No administrative ruling by the United States of America or the Republic of Nicaragua effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative

cualquier ventaja, favor, privilegio o inmunidad que haya sido o que en lo de adelante pueda ser concedido por los Estados Unidos de América o por la República de Nicaragua a cualquier artículo originario de, o destinado a un tercer país, deberá ser acordado inmediata e incondicionalmente al mismo o a ese artículo originario de o destinado a la República de Nicaragua o a los Estados Unidos de América, respectivamente.

## ARTICULO XI

Las leyes, reglamentos de autoridades administrativas y resoluciones de autoridades judiciales o administrativas de los Estados Unidos de América o de la República de Nicaragua, respectivamente, concernientes a la clasificación de artículos para fines aduaneros o a aforos arancelarios, deberán ser publicadas con prontitud y en manera tal que los comerciantes puedan enterarse de ellas. Dichas leyes, reglamentos y resoluciones deberán ser aplicados con uniformidad en todos los puertos del país respectivo, excepto como se ha expresamente estipulado en estatutos de los Estados Unidos de América relativos a artículos importados en Puerto Rico; y también se exceptuarán las disposiciones que se emitan específicamente por el Gobierno de Nicaragua en lo que atañe a los puertos del litoral atlántico.

Ninguna disposición administrativa de los Estados Unidos de América o de la República de Nicaragua, que aumente los aforos o gravámenes aplicables en virtud de una práctica establecida y uniforme a las importaciones originarias del otro país, o que exija cualquier nuevo requisito con respecto a tales importaciones podrá tener efecto retroactivo ni deberá ser aplicable a artículos que hayan sido pedidos a registro, o hubiesen sido sacados de las aduanas para consumo dentro de los treinta días siguientes a la fecha de publicación de tal disposición, en la forma oficial acostumbrada. Lo dispuesto en este párrafo no es

Laws, regulations, and decisions to be published.

Uniform application.

Administrative rulings, etc.  
No retroactive application.

Anti-dumping duties, etc.

orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

#### ARTICLE XII

Modification where rate of exchange prejudicial.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Nicaragua, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

#### ARTICLE XIII

Documentation errors.

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of Nicaragua upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin or where good faith can be established.

Mutual consideration with respect to customs regulations, etc.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

#### ARTICLE XIV

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this

aplicable a las órdenes que impongan derechos contra abarrotamiento o relativas a reglamentos para la protección de la vida humana, animal o vegetal, o relativas a la seguridad pública, o para hacer cumplir resoluciones judiciales.

#### ARTICULO XII

En caso de que ocurra una gran fluctuación en el tipo de cambio entre las monedas de los Estados Unidos de América y de la República de Nicaragua, el Gobierno de uno u otro país que considere la diferencia tan substancial que perjudique las industrias o el comercio de su país, estará en libertad de proponer negociaciones para la modificación de este Convenio o para dar por concluido este Convenio en su totalidad, previo aviso por escrito con treinta días de anticipación.

#### ARTICULO XIII

No se impondrán en la República de Nicaragua ni en los Estados Unidos de América multas mayores que las nominalmente establecidas sobre la importación de artículos cosechados, producidos, manufacturados o fabricados en el otro país, con motivo de errores en la documentación que patentemente se deban a la simple escritura o sean *LAPSUS PLUMAE* o *LAPSUS MACHINAE* (clerical errors); o cuando pueda establecerse la buena fe.

El Gobierno de cada país dará consideración amistosa y prestará oportunidad adecuada a las consultas con respecto a las representaciones que el otro Gobierno pueda hacer con relación a la aplicación de reglamentos aduaneros, restricciones cuantitativas o a la administración de las mismas, la observancia de formalidades aduaneras y la aplicación de leyes y reglamentos sanitarios y reglamentos para la protección de la vida humana, animal o vegetal.

#### ARTICULO XIV.

Salvo lo estipulado en contrario en el párrafo segundo de este Ar-

Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or by the Republic of Nicaragua, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panamá Canal Zone.

Subject to the reservations set forth in the third and fourth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or of the Republic of Nicaragua, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panamá Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America or by the Republic of Nicaragua to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Republic of Nicaragua may become a party, shall be excepted from the operation of this Agreement.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panamá Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panamá Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

título, las disposiciones de este Convenio relativas al tratamiento que deberá acordarse por los Estados Unidos de América o por la República de Nicaragua, respectivamente, al comercio del otro país, no serán aplicables a las Islas Filipinas, Islas Vírgenes, la Samoa Americana, la Isla de Guam ni a la Zona del Canal de Panamá.

Con sujeción a las reservas expresadas en los párrafos tercero y cuarto de este Artículo, las estipulaciones del Artículo X serán aplicables a artículos cosechados, producidos o fabricados en cualquier territorio bajo la soberanía o jurisdicción de los Estados Unidos de América o de la República de Nicaragua, importados de o exportados a cualquier territorio bajo la soberanía o jurisdicción del otro país. Es entendido, sin embargo, que las disposiciones de este párrafo no son aplicables a la Zona del Canal de Panamá.

Las ventajas concedidas actualmente o que en lo futuro sean acordadas por los Estados Unidos de América o por la República de Nicaragua a países limítrofes con objeto de facilitar el comercio fronterizo, lo mismo que las ventajas que resulten de una unión aduanera de la cual los Estados Unidos de América o la República de Nicaragua puedan llegar a formar parte, quedarán excluidas en la aplicación de este Convenio.

Las ventajas concedidas en la actualidad o que en lo futuro puedan acordarse mutuamente los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, o por los mismos a la República de Cuba, quedan excluidas de la aplicación de este Convenio. Lo dispuesto en este párrafo continuará aplicándose con respecto a cualesquier ventajas actuales o que en lo futuro sean acordadas por los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá a las Islas Filipinas, cualquiera que sea el cambio en el estado político de las Islas Filipinas.

Preferential treatment extended to territories, etc., of each other.

*Ante*, p. 1420.

Not applicable to Canal Zone.

Advantages excepted from operation of Agreement.

The advantages now accorded or which may hereafter be accorded by the Republic of Nicaragua to the commerce of Costa Rica, El Salvador, Guatemala, Honduras or Panamá, so long as any special treatment accorded to the commerce of those countries or any of them by the Republic of Nicaragua is not accorded to any other country, shall be excepted from the operation of this Agreement.

Not applicable to police or sanitary regulations.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

#### ARTICLE XV

Adoption of measures impairing Agreement; adjustment.

In the event that the Government of the United States of America or the Government of Nicaragua adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

#### ARTICLE XVI

Former Agreement supplanted.

The present Agreement shall, from the date on which it comes into force, supplant the Agreement between the United States of America and the Republic of

Las ventajas actuales o que en lo futuro puedan ser acordadas por la República de Nicaragua al comercio de Costa Rica, El Salvador, Guatemala, Honduras o Panamá, mientras cualquier tratamiento especial acordado al comercio de aquellos países o de cualquiera de ellos por la República de Nicaragua no sea extensivo a cualquier otro país, quedarán excluidas en la aplicación de este Convenio.

A menos que expresamente se disponga otra cosa en este Convenio, no deberá interpretarse que las estipulaciones del mismo sean aplicables a reglamentos de policía o sanitarios; y nada de lo expresado en este Convenio se interpretará de tal manera que impida la adopción de medidas que prohiban o restrinjan la exportación de oro o plata o para impedir la adopción de las medidas que uno u otro Gobierno pueda juzgar convenientes con respecto al control de la exportación o venta para la exportación de armas, pertrechos e implementos de guerra, y en circunstancias excepcionales, de todos los demás efectos militares.

#### ARTICULO XV.

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de Nicaragua adopte cualquier medida que aún cuando no esté en conflicto con los términos de este Convenio sea considerada por el Gobierno del otro país como nulificando o desvirtuando cualquiera de los fines de este Convenio, el Gobierno que haya adoptado tal medida deberá considerar las representaciones y propuestas que el otro Gobierno pueda hacer con la mira de efectuar un arreglo del asunto mutuamente satisfactorio.

#### ARTICULO XVI.

El presente Convenio deberá, desde la fecha en que entre en vigor, subrogar al Convenio entre los Estados Unidos de América y la República de Nicaragua efectua-

Nicaragua, effected by exchange of notes signed on June 11, 1924, and July 11, 1924, respectively.

### ARTICLE XVII

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Nicaragua, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VI, Article IX, or Article XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VI, Article IX, or Article XII, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the City of Managua, this eleventh day of March, nineteen hundred and thirty six, A. D.

For the President of the United States of America:

ARTHUR BLISS LANE [SEAL]

For the President of the Republic of Nicaragua:

LEONARDO ARGÜELLO [SEAL]

do por cambio de notas firmadas el 11 de Junio de 1924 y el 11 de Julio de 1924, respectivamente.

### ARTICULO XVII.

El presente Convenio deberá entrar en pleno vigor treinta días después de su promulgación por el Presidente de los Estados Unidos de América y por el Presidente de la República de Nicaragua, o, en caso que las promulgaciones sean en fechas distintas, treinta días después de la fecha de la promulgación que sea hecha por último, y deberá permanecer en vigor por el término de tres años, a menos que se dé por terminado de acuerdo con lo estipulado en los Artículos VI, IX o XII. El Gobierno de cada país deberá participar al Gobierno del otro la fecha de su promulgación.

Effective date and duration.

Anle, pp. 1416, 1419, 1422.

Siempre que al menos con seis meses de anticipación a la fecha de expiración del expresado término de tres años el Gobierno de uno u otro de los países contratantes no haya dado aviso al otro Gobierno de su intención de dar por concluido este Convenio a la expiración del susodicho término, este Convenio permanecerá en vigor de ahí en adelante sujeto a ser terminado conforme a las disposiciones de los Artículos VI, IX y XII, hasta seis meses después de la fecha en que el Gobierno de uno u otro país haya dado aviso al otro Gobierno.

Termination.

En fe de lo cual los respectivos Plenipotenciarios han firmado este Convenio y le han puesto sus sellos.

Signatures.

Hecho en duplicado, en los idiomas inglés y español, siendo ambos textos auténticos, en la ciudad de Managua, a los once días del mes de Marzo de mil novecientos treinta y seis.

Por el Presidente de los Estados Unidos de América:

ARTHUR BLISS LANE [SEAL]

Por el Presidente de la República de Nicaragua:

LEONARDO ARGÜELLO [SEAL]

## Schedule I.

## SCHEDULE I

Nicaraguan Tariff Item Number	Description of Articles	Maximum Rates of Duty. Specific Rates in Nicaraguan Córdobas
<p>The provisions of this Schedule will be interpreted as though they had been included in the current Nicaraguan tariff law by an amendment to that law.</p> <p>Abbreviations:</p> <p>G. K. Gross Kilo N. K. Net Kilo N. O. P. Not otherwise provided for.</p>		
367	Proprietary and patent medicines, mixed or compounded: (a) Without alcohol or containing not over 14% of alcohol	Ad valorem 40%
368	(b) Containing more than 14% of alcohol; and essences of liquors Pharmaceutical products, medicinal preparations, plasters and poultices, and empty capsules, n. o. p.	Ad valorem 60%
387	Varnishes, driers, and shellacs, prepared, of all kinds, including stains for woodwork and other applications, and enamel paint G. K.	Ad valorem 30%
392 (d)	All ready-mixed paints, pure or not, of whatever base, n. o. p.	G. K. . 08
503	Stockings and socks, cotton	G. K. . 03
799	Hides and skins, tanned and curried, dyed or prepared in any other manner: (b) Goat and kid skins, including glazed kid	N. K. 1. 10
	(e) Cow, horse, and other large hides, split, including colt skins	N. K. . 196
	(f) Calf skins	N. K. . 07
800	Hides and skins of all kinds, heavily varnished, lacquered, or enameled, with engravings, or embossed, or with pyrographic work	N. K. . 14
890	Steam boilers and engines of all kinds, including locomotives and tenders; traction and portable engines; motors for animal power; road making machinery; hydraulic, petroleum, gasoline, naphtha, and hot or compressed air motors, and all other articles now enumerated under this item	N. K. . 28
891	Oil extracting machinery, ice making and refrigerating machinery; sawmills and woodworking machinery	Free
892	Machinery for manufacture of cigarettes, chocolate, hats, shoes, and metal working machinery, n. o. p.	Free
893	Machinery and apparatus for the manufacture of sugar, n. o. p.	Free

## LISTA I

No. del Arancel de Aduanas  
de Nicaragua

Descripción de Artículos

Aforos Máximos  
del Arancel de  
Nicaragua. Aforos  
Especificados en  
Moneda de  
Córdoba

Las estipulaciones de esta Lista se interpretarán como si fueran parte de la actual ley arancelaria de Nicaragua, incluidas como una reforma de la misma.

## Abreviaciones:

K. B.— Kilo Bruto.

K. N.— Kilo Neto.

N. O. P.—No especificado en otra parte.

367	Medicinas de propiedad y de patente, mezcladas o compuestas:	
	(a) Sin alcohol o conteniendo no más del 14% de alcohol	
	Ad valorem	40%
	(b) Conteniendo más del 14% de alcohol; y esencias de licores	
	Ad valorem	60%
368	Productos farmacéuticos, preparaciones medicinales, emplastos, cataplasmas, y cápsulas vacías, n. o. p.	
	Ad valorem	30%
387	Barnices, secantes, gomalacas, preparados, inclusive colorantes para maderas y otras aplicaciones, y pinturas de esmalte	
	K. B.	. 08
392 (d)	Pinturas preparadas, puras o no, de cualquier base, n. o. p.	
	K. B.	. 03
503	Medias y calcetines, de algodón	
	K. N.	1. 10
799	Cueros y pieles, curtidos y adobados, teñidos o preparados de cualquier manera:	
	b) Cabritillas y badanas, inclusive las satinadas.	
	K. N.	. 196
	e) Cueros de caballo, res u otros animales grandes, divididos, incluyendo cueros de potrillo.	
	K. N.	. 07
	f) Pielés de becerro.	
	K. N.	. 14
800	Cueros y pieles de toda clase, bien acharolados, engomados o esmaltados con incrustaciones o en relieve o con pirograbado.	
	K. N.	. 28
890	Calderas de vapor, motores de toda clase, incluyendo locomotoras, motores portátiles y de arrastre, motores para fuerza animal, maquinarias para hacer carreteras: Hidráulicas, con petróleo, gasolina, nafta, y motores de aire caliente o comprimido, y todos los otros artículos actualmente especificados bajo esta fracción.	libre
891	Maquinaria para extraer aceite, de hacer hielo y para refrigerar; maquinarias para aserrar y para trabajos en madera.	libre
892	Maquinaria para manufacturar cigarrillos, chocolates, sombreros, zapatos, y trabajos en metal, n. o. p.	libre
893	Maquinaria y aparatos para fabricar azúcar, n. o. p.	libre

Schedule I—Contd.

## SCHEDULE I—Continued

Nicaraguan Tariff Item Number	Description of Articles	Maximum Rates of Duty. Specific Rates in Nicaraguan Córdobas
896	Electric and electrotechnical machinery, apparatus and appliances (a) Dynamos, generators, generating sets, alternators, motors and similar machinery n. o. p.	Free
Ex 896(a) bis	Dry and wet batteries, including storage, wet cell, dry cell, radio, flashlight, and all other batteries, and parts	Ad valorem 10%
Ex 896 (b)	Radio transmitting and receiving equip- ment and parts, including wireless tele- phone, telegraph, and television apparatus	Ad valorem 15%
Ex 904	Typewriters and parts	Ad valorem 10%
956	Hog lard and other lard of animal origin, however packed	N. K. . 10
964	Wheat Flour	100 N. K. 2. 10
987	Raisins, dates, figs, prunes, and similar pressed fruits, including dried apples, peaches, apricots and pears	N. K. . 12
990	Beans, dried	100 N. K. 1. 00
1042	Fruits, preserved in their own juice, in syrup, or in water, in any container	N. K. . 08
Ex 1073	Condensed milk or cream	N. K. . 07
Ex 1073	Evaporated milk or cream	N. K. . 04
Ex 1073	Dried whole milk or cream	N. K. . 10
Ex 1073	Dried skimmed milk or cream	N. K. . 07
1078	Preserved vegetables of all kinds (other than pickled) not otherwise provided for, in any container	N. K. . 10
1082 (a)	Rubber tires, combined or not with other materials, and inner tubes, for wheels of all kinds of vehicles except solid rubber tires for trucks	N. K. . 30
Ex 1082 (j)	Rubber heels	N. K. . 15

NOTE I. It is agreed that the Nicaraguan Government will not impose any certification requirement or any formality for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines which are impossible of fulfillment in the United States because of the lack of a duly authorized federal agency.

This clause does not affect the obligations assumed by Nicaragua in multi-lateral treaties and especially those relating to the manufacture and traffic in narcotic drugs, i. e., convention and protocols for the suppression of the abuse of opium and other drugs, signed at The Hague January 23, 1912; international opium convention, signed at Geneva February 19, 1925, and the convention and protocol for limiting the manufacture and regulating the distribution of narcotic drugs, signed at Geneva July 13, 1931.



## LISTA I—Continúa

No del Arancel de Aduanas de Nicaragua	Descripción de Artículos	Aforos Máximos del Arancel de Nicaragua. Aforos Especificados en Moneda de Córdoba
896	Maquinaria eléctrica y electrotécnica, aparatos y herramientas.	
	a) Dínamos, generadores, juegos generadores, alternadores, motores y maquinarias similares, n. o. p.	libre
Ex 896 (a) bis	Baterías secas y húmedas, incluyendo baterías acumuladoras, pilas húmedas, secas, pilas para radios, y para lámparas de mano y toda clase de baterías y sus partes.	
	Ad valorem	10%
Ex 896 (b)	Equipos transmisores y receptores de radio, y sus partes, incluyendo teléfonos y telegrafos inalámbricos y aparatos de televisión.	
	Ad valorem	15%
Ex 904	Máquinas de escribir y sus partes.	
	Ad valorem	10%
956	Manteca de cerdo, y otras mantecas de origen animal, en cualquier empaque.	
	K. N.	. 10
964	Harina de trigo	
	100 K. N.	2. 10
987	Pasas, dátiles, higos, ciruelas y frutas secas similares, incluyendo manzanas, melocotones, duraznos y peras secas.	
	K. N.	. 12
990	Frijoles, secos.	
	100 K. N.	1. 00
1042	Frutas conservadas en su propio jugo, en almibar o en agua, en cualquier envase.	
	K. N.	. 08
Ex 1073	Leche y crema condensada.	
	K. N.	. 07
Ex 1073	Leche y crema evaporada.	
	K. N.	. 04
Ex 1073	Leche y crema entera seca.	
	K. N.	. 10
Ex 1073	Leche y crema seca desnatada.	
	K. N.	. 07
1078	Legumbres conservadas de toda clase (que no sean encurtidas), n. o. p., en cualquier envase.	
	K. N.	. 10
1082 (a)	Llantas de hule, combinadas o no con otros materiales, neumáticos, para ruedas de toda clase de vehículos, excepto llantas sólidas para camiones.	
	K. N.	. 30
Ex 1082 (j)	Tacones de hule.	
	K. N.	. 15

NOTA 1. Se acuerda que para la importación, registro, permiso o venta de especialidades farmacéuticas y medicinas patentadas, el Gobierno de Nicaragua no exigirá ningún requisito de certificación u otra formalidad que sea imposible de cumplimentar en los Estados Unidos de América por falta de una Agencia Federal debidamente autorizada.

Esta cláusula no afecta las obligaciones asumidas por Nicaragua en tratados multilaterales y especialmente aquellas que se refieren a la fabricación y comercio en drogas narcóticas, i. e. la convención y protocolos para la supresión del abuso del opio y otras drogas firmados en La Haya el 23 de enero de 1912; la convención internacional de opio, firmada en Ginebra el 19 de febrero de 1925, y la convención y protocolo para limitar la manufactura y regular la distribución de drogas narcóticas firmados en Ginebra el 13 de julio de 1931.

## Schedule II.

## SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Maximum Rates of Duty.
<p>NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.</p>		
10	Balsam, Peru, natural and uncompounded, and not containing alcohol.	5% Ad valorem
1602	Root of ipecac, crude, natural and uncompounded, not advanced in value or condition by shredding, grinding, chipping, crushing or any other processor treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, and not containing alcohol	Free
1618	Bananas, green or ripe	Free
1618	Plantains, green or ripe	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1670	Dyeing or tanning materials: Fustic wood, logwood, and Brazil wood; all the foregoing whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any similar process, and not containing alcohol.	Free
1765	Deerskins, raw	Free
1765	Reptile skins, raw	Free
1790	Turtles	Free
1803	Cabinet woods, in the log	Free

## LISTA II

Ley de Arancel  
de 1930 de los  
Estados Unidos  
de América.  
Párrafo.

## Descripción de Artículos

## Tarifa Máxima de derechos.

NOTA: Las disposiciones de esta lista, para su interpretación y efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América serán determinadas, en cuanto fuere posible, como si cada disposición de esta lista apareciera, respectivamente en el párrafo de la ley de arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.

10	Bálsamos, Perú, naturales y que no tienen mezcla y que no tienen alcohol	5% Ad valorem
1602	Raíz de ipecacuana, cruda, natural y no mezclada, no aumentada en valor ó condición por picarla, molerla, astillarla o aplastarla o por cualquier otro tratamiento de preparación mayor que el necesario para su empaque adecuado y para prevenir su decadencia o deterioro antes de su manufactura, y que no tenga alcohol	Libre
1618	Bananos, verdes o maduros	Libre
1618	Plátanos, verdes o maduros	Libre
1653	Cocoa o cacao en grano y las cáscaras de éstos	Libre
1654	Café, salvo café importado a Puerto Rico y sobre el cual está impuesto un derecho bajo la autoridad de Sección 319	Libre
1670	Sustancias para teñir o curtir: maderas de fustete, palo de campeche y maderas de brasil, ya sean crudas o aumentadas de valor ó condición por picarlas, molerlas, astillarlas, o por cualquier otro tratamiento, siempre que no contengan alcohol	Libre
1765	Cueros de venado, crudos	Libre
1765	Cueros de reptil, crudos	Libre
1790	Tortugas	Libre
1803	Maderas de ebanistería, en trozas	Libre

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

*Ante*, p. 1425.

WHEREAS it is stipulated in Article XVII of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Nicaragua, or should the proclamations be issued on different days on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Nicaragua on August 31, 1936;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after October 1, 1936, the thirtieth day following September 1, 1936, the date of this my proclamation of the said Agreement.

46 Stat. 708; 48 Stat.  
943.  
19 U. S. C. §1351.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of September, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Commercial agreement between the United States of America and the Union of Soviet Socialist Republics continuing in force until July 13, 1937, the agreement of July 13, 1935. Effected by exchange of notes, signed July 11, 1936.*

July 11, 1936  
[E. A. S. No. 96]

*The American Chargé d'Affaires ad interim (Henderson) to the Assistant People's Commissar for Foreign Affairs (Krestinski)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Moscow, July 11, 1936.*

EXCELLENCY:

In accordance with the conversations which have taken place, I have the honor to confirm on behalf of my Government the agreement which has been reached between the Governments of our respective countries that the agreement regarding commercial relations between the United States of America and the Union of Soviet Socialist Republics recorded in the exchange of notes between the American Ambassador and the People's Commissar for Foreign Affairs on July 13, 1935, shall continue in force for another year, that is, until July 13, 1937.

Agreement with the Union of Soviet Socialist Republics continuing existing commercial agreement.

49 Stat. 3805.

Accept, Excellency, the renewed assurances of my highest consideration.

LOY W. HENDERSON  
*Chargé d'Affaires ad interim  
of the United States of America*

His Excellency

N. N. KRESTINSKI,

*Assistant People's Commissar for Foreign Affairs,  
Moscow.*

*The Assistant People's Commissar for Foreign Affairs (Krestinski) to the American Chargé d'Affaires ad interim (Henderson)*

*Moscow, July 11, 1936.*

MR. CHARGÉ D'AFFAIRES:

In accordance with the conversations which have taken place, I have the honor to confirm on behalf of my Government the agreement which has been reached between the Governments of our respective countries that the agreement regarding commercial relations

between the Union of Soviet Socialist Republics and the United States of America recorded in the exchange of notes between the People's Commissar for Foreign Affairs and the American Ambassador on July 13, 1935, shall continue in force for another year, that is, until July 13, 1937.

Accept, Mr. Chargé d'Affaires, the renewed assurances of my highest consideration

N. KRESTINSKI

*Assistant People's Commissar  
for Foreign Affairs*

MR. LOY W. HENDERSON,  
*Chargé d'Affaires ad interim  
of the United States of America,  
Moscow.*

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*The American Chargé d'Affaires ad interim (Henderson) to the  
Assistant People's Commissar for Foreign Affairs (Krestinski)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Moscow, July 9, 1936.*

EXCELLENCY:

I have the honor to refer to our recent conversations in regard to the prolongation of the agreement of July 13, 1935, concerning commercial relations between the United States of America and the Union of Soviet Socialist Republics and to ask you to let me know the value of articles the growth, produce, or manufacture of the United States of America which the Government of the Union of Soviet Socialist Republics intends to purchase in the United States of America during the next twelve months for export to the Union of Soviet Socialist Republics.

Accept, Excellency, the renewed assurances of my highest consideration.

LOY W. HENDERSON

*Chargé d'Affaires ad interim  
of the United States of America*

His Excellency

N. N. KRESTINSKI,  
*Assistant People's Commissar for Foreign Affairs,  
Moscow.*

*The Assistant People's Commissar for Foreign Affairs (Krestinski)  
to the American Chargé d'Affaires ad interim (Henderson)*

Moscow, July 13, 1936.

MR. CHARGÉ D'AFFAIRES:

In reply to your inquiry regarding the intended purchases by the Union of Soviet Socialist Republics in the United States of America in the course of the next twelve months, I have the honor to inform you that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics intend to buy in the United States of America in the course of the next twelve months American goods in the amount of at least thirty million dollars.

Accept, Mr. Chargé d'Affaires, the renewed assurances of my highest consideration

N. KRESTINSKI  
*Assistant People's Commissar  
for Foreign Affairs*

MR. LOY W. HENDERSON,  
*Chargé d'Affaires ad interim  
of the United States of America,  
Moscow.*

May 18, 1936  
[E. A. S. No. 97]

*Agreement between the United States of America and Finland respecting reciprocal trade. Signed at Washington, May 18, 1936; approved by the President of the Republic of Finland, October 2, 1936; proclaimed by the President of the United States, October 3, 1936; effective November 2, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Reciprocal trade  
agreement with Fin-  
land.  
48 Stat. 943.  
19 U. S. C. §1351.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provi-  
sions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import



restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS, I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Finland are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Finland;

Promotion of foreign trade.

46 Stat. 708; 48 Stat. 943.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on May 18, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Finland, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Finnish languages, is in words and figures as follows:

Trade agreement entered into.

The President of the United States of America and the President of the Republic of Finland, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have through their respective Plenipotentiaries arrived at the following Agreement:

Amerikan Yhdysvaltojen Presidentti ja Suomen Tasavallan Presidentti, haluten lujittaa molempien maiden välisiä perinnäisiä ystävyyssiteitä pitämällä samanarvoisen kohtelun periaatteita kaupallisten suhteiden pohjana sekä suomalla molemminpuolisia ja vastavuoroisia myönnötyksiä ja etuja kaupan edistämiseksi, ovat asianomaisten täysivaltaisten edustajiensa kautta tehneet seuraavan sopimuksen:

Purposes declared.

## ARTICLE I

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into Finland, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other

## I ARTIKLA

Amerikan Yhdysvaltojen tavaroiden, luonnon- tai teollisuustuotteiden, jotka on mainittu ja esitetty luettelossa I, joka on liitetty tähän sopimukseen ja on sen osa, tulee, niitä Suomeen tuotaessa, olla vapaita varsinaisista tulleista, jotka ylittävät ne määrät, mitkä mainituissa luettelossa on ilmoitettu ja määrätty. Mainitut tavarat ovat niinkään vapaita kaikista muista tulleista,

Enumerated imports into Finland.

Post, p. 1448.

No excess duties, etc.

duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement, or required to be imposed thereafter, under laws of Finland in force on the day of the signature of this Agreement.

veroista, maksuista, kuluista tai rasituksista, joita kannetaan tavaroita tuotaessa tai tuontiin liituen, paitsi niistä, jotka on määrätty tämän sopimuksen allekirjoittamispäivänä tai joiden määräämistä sen jälkeen vaaditaan tämän sopimuksen allekirjoittamispäivänä Suomessa voimassaolevien lakien nojalla.

## ARTICLE II

Specified imports  
from Finland.  
Post, p. 1452.

Articles the growth, produce or manufacture of Finland, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement, or required to be imposed thereafter, under laws of the United States of America in force on the day of the signature of this Agreement.

No excess duties,  
etc.

## II ARTIKLA

Suomen tavaroiden, luonnon- tai teollisuustuotteiden, jotka on mainittu ja esitetty luettelossa II, mikä on liitetty tähän sopimukseen ja on sen osa, tulee, niitä Amerikan Yhdysvaltoihin tuotaessa, olla vapaita varsinaisista tulleista, jotka ylittävät ne maarat, mitkä mainitussa luettelossa on ilmoitettu ja määrätty. Mainitut tavarat ovat niinkään vapaita kaikista muista tulleista, veroista, maksuista, kuluista tai rasituksista, joita kannetaan tavaroita tuotaessa tai tuontiin liittyen, paitsi niistä, jotka on määrätty tämän sopimuksen allekirjoittamispäivänä tai joiden määräämistä sen jälkeen vaaditaan tämän sopimuksen allekirjoittamispäivänä Amerikan Yhdysvalloissa voimassaolevien lakien nojalla.

## ARTICLE III

Internal taxation.

The provisions of Articles I and II of this Agreement shall not prevent the Government of either country from imposing at any time on the importation of any product a charge equivalent to an internal tax imposed in respect of a like domestic product or in respect of a commodity from which the imported product has been manufactured or produced in whole or in part.

## III ARTIKLA

Tämän sopimuksen I ja II artiklan määräykset eivät estä jommankumman maan hallitusta milloin tahansa minkä tahansa tuotteen tuonnille määräämästä maksua, joka vastaa samanlaatuiselle kotimaiselle tuotteelle tai sellaiselle tavaralle, josta maahan tuotu tuote kokonaan tai osittain on valmistettu tai tuotettu, asetettua sisäistä veroa.

## ARTICLE IV

Notes in schedules  
considered part of  
Agreement.  
Post, pp. 1448, 1452.

The United States of America and Finland agree that the notes included in Schedules I and II are hereby given force and effect as integral parts of this Agreement.

## IV ARTIKLA

Amerikan Yhdysvallat ja Suomi sopivat siitä, että luetteloihin I ja II sisältyvät muistutukset ovat voimassa tämän sopimuksen olennaisina osina.

## ARTICLE V

Articles the growth, produce or manufacture of the United States of America or Finland, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

## ARTICLE VI

In respect of articles the growth, produce or manufacture of the United States of America or Finland, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of Finland and the United States of America, respectively, in force on the day of signature of this Agreement.

## ARTICLE VII

No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Finland on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, except as specifically provided for in that Schedule, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Finland enumerated and described in Schedule II.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by

## V ARTIKLA

Amerikan Yhdysvaltojen tai Suomen tavarat, luonnon- tai teollisuustuotteet ovat, senjälkeen kuin ne on tuotu toiseen maahan, vapaita kaikista muista tai korkeammista sisäisistä veroista, maksuista, kuluista tai rasituksista, paitsi niistä, jotka maksetaan samanlaatuista, kotimaista tai mitä hyvänsä muuta vierasta alkuperää olevista tavaroista.

Internal tax exemption.

## VI ARTIKLA

Amerikan Yhdysvaltojen tai Suomen tavaroiden, luonnon- tai teollisuustuotteiden suhteen, jotka on mainittu ja esitetty luetteloissa I ja vastaavasti II ja jotka on tuotu toiseen maahan ja joille on määrätty tai voidaan määrätä arvotulleja tai arvoon perustuvia taikka jollakin tavoin niiden arvosta johdettavia tulleeja, on edellytetty ja sovittu, että perusteet ja menetelmät tullausarvon määrittämiseksi ja valuuttojen laskemiseksi eivät saa olla vähemmän edulliset tuojille kuin Suomessa ja vastaavasti Amerikan Yhdysvalloissa tämän sopimuksen allekirjoittamispäivänä voimassa olevien lakien ja säädösten nojalla määrätty perusteet ja menetelmät.

Ad valorem duties. Determination, etc., of rates.

Post, pp. 1448, 1452.

## VII ARTIKLA

Mitään kieltoja, tuonti- tai tulikiintiöitä, tuontilupia, tai minkään muun laatuista määrää koskevia säännöksiä, toimeenpantakoonpa ne jonkin keskusvalvontaelimen välityksellä tai ilman sitä, ei Suomi saa asettaa luettelossa I mainittujen ja esitettyjen Amerikan Yhdysvaltojen tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille, paitsi mitä erikoisesti on määrätty mainitussa luettelossa, eikä Amerikan Yhdysvallat luettelossa II mainittujen ja esitettyjen Suomen tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille.

No quantitative regulation.

Post, p. 1448.

Post, p. 1452.

Exceptions.

Edellistä määräystä ei sovelleta mihinkään määrää koskeviin rajoituksiin, joita Amerikan Yhdys-

either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it with respect to the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Notice of proposed restriction, etc.

#### ARTICLE VIII

1. If the Government of the United States of America or the Government of Finland establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action shall:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold, or permitted to be imported or sold

vallat tai Suomi ovat määränneet toisen maan tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille niiden hallituksen toimenpiteiden yhteydessä, joilla säännöstellään tai valvotaan samanlaisten kotimaassa valmistettujen tavaroiden tuotantoa, jakelua tai hintoja, taikka pyritään suurentamaan niiden tuotannon työ kustannuksia. Milloin hyvänsä jommankumman maan hallitus aikoo ryhtyä johonkin tämän artiklan kohdan sallimaan rajoitukseen tai tehdä siihen muutoksia, on sen annettava siitä kirjallisesti tieto toisen maan hallitukselle sekä suotava tälle toiselle hallitukselle tilaisuus kolmenkymmenen päivän kuluessa sellaisen ilmoituksen saamisesta neuvotella kanssaan aiotusta toimenpiteestä. Jollei asiassa päästä sopimukseen kolmenkymmenen päivän kuluessa edellä mainitun ilmoituksen saamisesta lukien, on sillä hallituksella, joka aikoo sellaiseen toimenpiteeseen ryhtyä, oikeus milloin hyvänsä sen jälkeen tehdä se, ja toisen maan hallituksella on oikeus viidentoista päivän kuluessa sen jälkeen, kun sellaiseen toimenpiteeseen on ryhdytty, irtisanoa tämä sopimus kokonaisuudessaan kirjallisesti kolmenkymmenen päivän irtisanomisajalla.

#### VIII ARTIKLA

1. Jos Amerikan Yhdysvaltojen tai Suomen hallitus määrää tai ylläpitää minkälaisia tahansa minkä sellaisen tavarantoontiin tai myyntiin tahansa kohdistuvia määriä koskevia rajoituksia tai valvontatoimenpiteitä, joka toista maata kiinnostaa, tai määrää alhaisemman tuontitullin tai maksun mille tahansa sellaisen tavarantoontiin erikoisesti mainitun paljouden määrän tuonnille tai myynnille, kuin mikä tulli tai maksu on määrätty sellaisen määrän yli tapahtuvan määrän tuonnille, niin hallitus, joka tähän ryhtyy:

(a) antaa julkisen ilmoituksen siitä sellaisen tavarantoontiin kokonaisuudesta tai mistä tahansa siihen tehdystä muutoksesta, joka sallitaan tuoda tai myydä tai sallitaan

Benefits granted where a lower rate is imposed on portion of imports, etc.

at such lower duty or charge, during a specified period;

(b) Unless otherwise mutually agreed, allot to the other country for such specified period a share of such total quantity as originally established, or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous period, such period to be such as to result in a fair and equitable allotment to the other country; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted.

2. Neither the United States of America nor Finland shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

#### ARTICLE IX

In the event that the Government of the United States of America or the Government of Finland establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintain-

tuoda tai myydä tällä alhaisemalla tullilla tai maksulla määrätyn ajanjakson kuluessa.

(b) jakaa toiselle maalle täksi määrätyn osan sellaisen osan tästä alunperin määrätystä tai millä tavoin tahansa myöhemmin muutetusta kokonaismäärästä, joka vastaa sitä tällaisen tavaran kokonaistuonnin osaa, jonka tämä toinen maa on tuonut varhaisempaan ajanjaksona, joka on sellainen, että sen perusteella tämä toinen maa saa sopivan ja kohtuullisen kiintiön, ellei molempuolisesti ole toisin sovittu.

(c) antaa julkisen ilmoituksen tämän määrän jaosta eri vientimaiden kesken ja ilmoittaa aina pyydettyä toisen maan hallitukselle jokaisen tällaisen kunkin vientimaan tavaran, luonnon- tai teollisuustuotteen määrästä, mikä on tuotu tai myyty tai minkä tuomiseen tai myymiseen on myönnetty lupia tai todistuksia.

2. Amerikan Yhdysvallat ja Suomi eivät saa säännöstellä minkään sellaisen tavaran tuonnin tai myynnin kokonaismäärää alueellaan, joka kiinnostaa toista maata, yksityisille tai järjestöille annetuilla tuontiluvilla tai todistuksilla, jollei tämän tuotavaksi tai myytäväksi sallitun tavaran kokonaismäärää vähintään kolmen kuukauden pituiseksi kiintiöajaksi ole määrätty, ja jollei sellaisten lupien tai todistusten antamista koskevia määräyksiä ole tehty julkisesti tunnetuiksi ennen määräysten voimaansaapoa.

Import licenses, etc.

#### IX ARTIKLA

Jos Amerikan Yhdysvaltojen tai Suomen hallitus perustaa monopolin tai pitää sitä voimassa määrätyn tavaran tuontia, valmistusta tai myyntiä varten tai luovuttaa yksinomaisia, muodollisia tai todellisia, etuoikeuksia yhdelle tai useammalle elimelle tuoda, valmistaa tai myydä määrättyä tavaraa, suostuu sen maan hallitus, joka perustaa tällaisen monopolin tai pitää sitä voimassa

Treatment of Government monopolies.

ing such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

#### ARTICLE X

Control of foreign exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and Finland to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period, prior to the establishment of any exchange control, for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration of representations in respect of application of Article.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

tai luovuttaa monopolioikeuksia siihen, että toisen maan kauppa saa oikeudenmukaisen ja tasapuolisen kohtelun tällaisen monopolin tai elimen ulkomaisten ostojen suhteen. Tätä tarkoitusta varten on sovittu, että kyseiset monopolit tai elimet, ostaessaan mitä hyvänsä tavaraa ulkomailta, toimivat yksinomaan sellaisten vaikuttimien kuin hinnan, laadun, markkinakelpoisuuden ja myyntiehtojen mukaan, jotka sellainen yksityinen kaupparyitys tavallisesti ottaa huomioon, jota kiinnostaa yksinomaan tällaisen tavaran ostaminen mahdollisimman edullisin ehdoin.

#### X ARTIKLA

Amerikan Yhdysvallat ja Suomi ovat myöntäneet toisilleen tässä sopimuksessa edellytetyt tariffi-myönnytykset ja muut edut ehdolla, että jos jommankumman maan hallitus ottaa käytäntöön tai pitää voimassa, välillisesti tai välittömästi, minkälaista ulkomaisen valuutan kaupan valvontaa tahansa, se hoitaa tätä valvontaa turvatakseen, että toisen maan kansalaisille ja kaupalle taataan kohtuullinen ja oikeudenmukainen osa valuutanjakelussa.

Kaupallisiin toimiin käytettävään valuuttaan nähden on sovittu, että kummankin maan hallitus pitää ulkomaisen valuutan kaupan kaikenlaisen valvonnan toimeenpanossa ohjeenaan sitä periaatetta, että, niin tarkoin kuin voidaan määrätä, koko käytettävänä olevasta valuuttamäärästä toiselle maalle jaettava osa ei saa olla pienempi kuin osa, joka on käytetty jonakin edellisenä edustavana ajanjaksona ennen valuuttakaupan valvonnan käyttöönottamista kauppasaatavien maksamiseksi tämän toisen maan kansalaisille.

Kummankin maan hallitus ottaa hyväntahtoisesti harkittavakseen kaikki esitykset, joita toisen maan hallitus saattaa tehdä tämän artiklan määräyksien soveltamiseksi.

## ARTICLE XI

## XI ARTIKLA

With respect to (1) customs duties or charges of any kind imposed on or in connection with importation or exportation; (2) the method of levying such duties or charges; (3) all rules and formalities in connection with importation or exportation; and (4) all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or Finland to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for Finland or the United States of America, respectively.

The provisions of the first paragraph of this Article shall not extend:

(1) to the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on December 11, 1902, or any other commercial agreement thereafter concluded by the United States with Cuba; or to the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. This provision shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands;

(2) to the benefits which either country has accorded, or may accord, to its neighboring states in order to facilitate local traffic;

Mitä tulee kaikenlaisiin tuonista tai viennistä tai niiden yhteydessä kannettaviksi määrättyihin tulleeihin ja maksuihin ja mitä tulee sellaisten tullien ja maksujen kantotapaan, samoin kuin kaikkiin tuonnin ja viennin yhteydessä esiintyviin sääntöihin ja muodollisuuksiin, sekä mitä tulee kaikkiin lakeihin ja säädöksiin, jotka vaikuttavat tuotujen tavaroiden myyntiin tai käyttöön maassa, annetaan jokainen hyöty, etu, etuoikeus tai erivapaus, jonka Amerikan Yhdysvallat tai Suomi on myöntänyt tai saattaa vastaisuudessa myöntää mille kolmannelta maasta peräisin olevalle tai sinne tarkoitettulle tavaralle tahansa, viipymättä ja ehdoitta Suomesta tai vastaavasti Amerikan Yhdysvalloista peräisin olevalle tai sinne tarkoitettulle samanlaiselle tavaralle.

Tämän artiklan ensimmäisen kappaleen määräykset eivät koske:

(1) kohtelua, jonka Yhdysvallat myöntävät Kuuban kaupalle Yhdysvaltojen ja Kuuban kesken 11 päivänä joulukuuta 1902 tehdyn tai minkä tahansa muun Yhdysvaltojen ja Kuuban kesken tämän jälkeen tehdyn kauppasopimuksen määräysten nojalla, taikka niitä etuja, jotka Amerikan Yhdysvallat, niiden alueet tai alusmaat tahi Panaman kanavavyöhyke nykyään suovat tai vastedes saattavat suoda keskenään toisilleen tai Kuuban tasavallalle. Tämä määräys jää edelleen voimaan mihin tahansa etuihin nähden, jotka Amerikan Yhdysvallat, niiden alueet tai alusmaat tahi Panaman kanavavyöhyke nykyään tai vastedes suovat Filippiineille, huolimatta millaisista tahansa muutoksista Filippiinien poliittisessa asemassa;

(2) etuja, jotka jompikumpi maa on myöntänyt tai vastedes myöntää naapurivaltiollleen paikallisen liikenteen helpottamiseksi;

Extension of advantages, etc., granted any other country.

Exceptions.

United States commerce with Cuba.

33 Stat. 2136.

Territories, possessions, etc.

Neighboring states.

Commerce of Finland with Estonia.

(3) to the treatment which Finland accords or may hereafter accord to the commerce of Estonia.

#### ARTICLE XII

Documentation errors.

Greater than nominal penalties will not be imposed in the United States of America or in Finland upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin or where good faith can be established.

Mutual consideration with respect to customs regulations, etc.

The Government of each country will accord sympathetic consideration to, and when requested afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

Sanitary regulations.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

#### ARTICLE XIII

Modification where rate of exchange prejudicial.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and Finland, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate

(3) kohtelua, jonka Suomi nyt tai vastedes myöntää Viron kaupalle.

#### XII ARTIKLA

Amerikan Yhdysvalloissa ja Suomessa ei määrätä suurempia kuin nimellisiä rangaistuksia toisen maan tavaroita, luonnon- tai teollisuustuotteita maahan tuotaessa sellaisista asiakirjoissa olevista virheellisyyksistä, jotka ilmeisesti johtuvat kirjoitusvirheestä tai joista todetaan, että on toimittu hyvässä uskossa.

Kummankin maan hallitus ottaa hyväntahtoisesti harkittavakseen sellaiset esitykset, joita toinen hallitus saattaa tehdä ja järjestää pyynnöstä riittävän tilaisuuden neuvotella niistä, mikäli ne koskevat tullimääräysten täytäntöönpanoa, määrää koskevia rajoituksia tai niiden käyttöä, tullimuodollisuuksien noudattamista ja terveydenhoitolakien sekä ihmisten, eläinten tai kasvien elämän suojelua tarkoittavien määräysten soveltamista.

Mikäli jommankumman maan hallitus toisen maan hallitukselle tekee minkä tahansa terveydenhoitolain tai ihmisten, eläinten tai kasvien elämän suojelua tarkoittavan määräyksen soveltamista koskevan esityksen ja mikäli siitä on erimielisyyttä, asetetaan jommankumman hallituksen pyynnöstä teknillisistä asian- tuntujoista kokoonpantu toimikunta, jossa kummankin hallituksen on oltava edustettuna, harkitsemaan asiaa ja esittämään ehdotuksia molemmille hallituksille.

#### XIII ARTIKLA

Siinä tapauksessa, että huomattava vaihtelu tapahtuu Amerikan Yhdysvaltojen ja Suomen valuuttojen välisissä kurseissa, jommankumman maan hallituksella on oikeus, jos se pitää vaihtelua niin oleellisenä, että se on vahingoksi maan teollisuudelle tai kaupalle, ehdottaa neuvotteluihin ryhtymistä tämän sopimuksen muuttamiseksi tai lopettaa koko



this Agreement in its entirety on thirty days' written notice.

tämä sopimus kolmenkymmenen päivän kuluttua siitä kuin kirjallinen irtisanominen on tapahtunut.

#### ARTICLE XIV

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or Finland, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable interested persons to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Amerikan Yhdysvaltojen tai vastaavasti Suomen lait, hallintoviranomaisten säädökset ja hallintotai oikeusviranomaisten päätökset, jotka koskevat tavaroiden luokittelua tullasta varten taikka tullimääriä, julkaistaan viipymättä sillä tavoin, että kiinnostuneiden henkilöiden on mahdollista tutustua niihin. Sellaisia lakeja, säädöksiä ja päätöksiä sovelletaan yhtäläisesti asianomaisen maan kaikissa satamissa, paitsi silloin, kun erikseen on toisin määrätty Amerikan Yhdysvaltojen säännöksissä, jotka koskevat Puerto Ricoon tuotuja tavaroita.

Publication of laws, regulations, and decisions.

#### ARTICLE XV

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and Finland, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or Finland, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Lukuunottamatta mitä tämän artiklan toisessa kappaleessa toisin on määrätty, ei tämän sopimuksen määräyksiä siitä kohtelusta, jonka Amerikan Yhdysvallat ja vastaavasti Suomi myöntää toisen maan kaupalle, sovelleta Filippiineihin, Neitsytsaariin, Amerikan Samoasaariin, Guamin saareen eikä Panaman kanavavyöhykkeeseen.

Provisions not to apply to Philippine Islands, etc.

#### XV ARTIKLA

Tässä sopimuksessa olevia, suosituimmuutta koskevia määräyksiä sovelletaan minkä tahansa Amerikan Yhdysvaltojen tai Suomen suvereniteetin tai herruuden alaisen alueen tavaroihin, luonnon- tai teollisuustuotteisiin, jotka tuodaan miltä tahansa toisen maan suvereniteetin tai herruuden alaiselta alueelta tai viedään sinne. On kuitenkin sovittu siitä, ettei tämän kappaleen määräyksiä sovelleta Panaman kanavavyöhykkeeseen.

Preferential treatment extended to territories, etc., of each other.

Not applicable to Canal Zone.

#### ARTICLE XVI

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or

#### XVI ARTIKLA

Minkään tämän sopimuksen määräyksen ei katsota estävän ryhtymästä toimenpiteisiin, jotka

Gold or silver exportation, etc., restriction.

Traffic in arms, ammunition, etc.

restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export, or sale for export, of arms, ammunition or implements of war, and, in exceptional circumstances, all other military supplies.

Police or revenue laws.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favor of any third country under like circumstances, the provisions of this Agreement shall not extend to regulations for the enforcement of police or revenue laws of the United States or of Finland relating to imports the importation, transportation, or sale of which is prohibited or restricted; or to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life or health; or (3) relating to prison-made goods.

## ARTICLE XVII

Adoption of measures impairing Agreement; adjustment.

In the event that the Government of the United States of America or the Government of Finland adopts any measure or takes any action which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted such measure or taken such action shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

## ARTICLE XVIII

Agreement not to affect Treaty of Friendship, etc., of 1934.  
49 Stat. 2659.

Nothing in this Agreement shall be deemed to affect the rights and obligations arising out of the Treaty of Friendship, Commerce,

tarkoittavat kullaa tai hopeaa viennin tai tuonnin kieltämistä tai rajoittamista tai estävän ryhtymästä toimenpiteisiin, joita jompikumpi hallitus pitää tarpeellisin aseiden, ampujatarpeiden tai sotavarusteiden, sekä poikkeuksellisisa olosuhteissa, kaikkien muiden sotatarvikkeiden viennin tai vientiä tarkoittavan myynnin valvonnan suhteen.

Edellyttäen, ettei mitään mieltävaltaista syrjintää toisen maan puolelta toista vastaan kolmannen maan hyväksi harjoiteta vastaavanlaisissa olosuhteissa, ei tämän sopimuksen määräyksiä sovelleta säännöksiin sellaisten Yhdysvaltojen tai Suomen poliisi- tai vero lakien toimeenpanosta mitkä koskevat tuontitavaroita, joiden maahantuonti, kuljetus tai myynti on kiellettyä tai rajoitettua eikä myöskään kieltöihin ja rajoituksiin (1) jotka on määrätty moraalisisista tai humanisisista syistä; (2) jotka ovat tarkoitettut suojaamaan ihmisten, eläinten ja kasvien elämää tai terveyttä; taikka (3) jotka koskevat vankeissa valmistettuja tavaroita.

## XVII ARTIKLA

Siinä tapauksessa, että Amerikan Yhdysvaltojen tai Suomen hallitus ryhtyy johonkin toimenpiteeseen tai tekee jonkun teon, jonka, vaikkakaan se ei ole riskitiedassa tämän sopimuksen määräyksien kanssa, toisen maan hallitus katsoo vaikuttavan siten, että jokin tämän sopimuksen tarkoitusperä sen takia tulee mitätöimäksi tai kadottaa merkitystään, se hallitus, joka on johonkin tällaiseen toimenpiteeseen ryhtynyt tai tehnyt tällaisen teon, ottaa harkittavakseen ne toisen maan tekemät esitykset ja ehdotukset, jotka tarkoittavat kumpaakin asianosaista tyydyttävän järjestelyn aikaansaamista asiassa.

## XVIII ARTIKLA

Minkään tässä sopimuksessa ei katsota vaikuttavan niihin oikeuksiin ja velvoituksiin, jotka johtuvat Washingtonissa 13 päivänä

and Consular Rights, signed at Washington on February 13, 1934.

helmikuuta 1934 allekirjoitetusta ystävyys-, kauppa- ja konsulisopimuksesta.

## ARTICLE XIX

## XIX ARTIKLA

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and approval thereof by the President of Finland, or should the proclamation be issued and the approval be given on different days, on the thirtieth day following the date of the later in time of such proclamation or approval, and shall remain in force for the term of three years thereafter, subject to the provisions of Article VII and Article XIII. The Government of each country shall notify the Government of the other country of the date of its proclamation or approval.

Tämä sopimus tulee voimaan kolmantenakymmenentenä päivänä sen jälkeen kuin Amerikan Yhdysvaltojen Presidentti on antanut siitä julistuksen ja Suomen Presidentti on sen hyväksynyt tai jos julistus ja hyväksyminen on annettu eri päivinä, kolmantenakymmenentenä päivänä myöhemmän tällaisen julistuksen tai hyväksymisen päivämäärästä lukien ja pysyy sen jälkeen voimassa kolmen vuoden ajan ellei sitä irtisanota VII tai XIII artiklan määräysten mukaisesti. Kummankin maan hallitus ilmoittaa toisen maan hallitukselle julistuksen tai hyväksymisen antamispäivän.

Effective date.

Duration.  
Ante, pp. 1439, 1444.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to the provisions of Article VII and Article XIII, until six months from such time as the Government of either country shall have given notice to the other Government.

Jollei jommankumman maan hallitus vähintään kuusi kuukautta ennen edellä mainitun kolmen vuoden määräajan umpeenkulumista ole ilmoittanut toisen maan hallitukselle aikeestaan lopettaa tämä sopimus mainitun määräajan umpeenkuluttua, sopimus jää edelleen voimaan, ellei sitä irtisanota VII tai XIII artiklan määräysten mukaisesti, kunnes kuusi kuukautta on kulunut siitä päivästä lukien, jolloin jommankumman maan hallitus on antanut irtisanomisolmoituksen toisen maan hallitukselle.

Termination.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Vakuudeksi ovat asianomaiset täysivaltaiset edustajat allekirjoittaneet tämän sopimuksen sekä sen sineteillään varustaneet.

Signatures.

Done in duplicate, in the English and Finnish languages, both authentic, at the city of Washington, this eighteenth day of May, nineteen hundred and thirty-six.

Tehtiin Washingtonissa kahdeksantenatoista päivänä toukokuuta tuhat yhdeksänsataa kolmekymmentä kuusi kahtena kappaleena, englanniksi ja suomeksi, jotka molemmat ovat todistusvoimaisia.

For the President of the United States of America:

CORDELL HULL [SEAL]

For the President of Finland:

EERO JÄRNEFELT [SEAL]

## Schedule I.

## SCHEDULE I

<i>Finnish Tariff Number</i>	<i>Description of Articles</i>	<i>Rate of Duty in Finnish Marks</i>
28-a	Lard ("ihra ja rasva"), rendered <i>Note: On imports of United States lard, including neutral lard, not in excess of 1,000,000 net kilograms per each successive 12-month period and entering through the ports of Helsinki, Turku, Viipuri or Vaasa, the duty shall not exceed 4.00 Finnish marks per net kilogram.</i>	
Ex 48-b	Cornstarch	1 kg. 1. 00
Ex 75-b-2	Apples, fresh, entering during period: December 15 to June 15, inclusive	1 kg. 1. 50
Ex 75-b-3	Pears and plums, fresh or merely cooked	1 kg. 1. 00
Ex 75-b-4	Grapefruit, fresh or merely cooked	1 kg. 0. 50
Ex 76-b	Raisins, dried or desiccated	1 kg. 0. 50
Ex 76-c	Prunes, all kinds, dried or desiccated	1 kg. 0. 70
Ex 80	Pears, apricots, peaches and mixed fruit for salad, dried, desiccated, or salted	1 kg. 3. 00
	<i>Note: The proportion of dried apples in mixed fruit for salad shall not exceed 15 percent by weight.</i>	
Ex 147-c	Preserved pineapples, pears, peaches, apricots, mixed fruit for salad, grapefruit, tomato juice and asparagus, including sweet-preserved, in hermetically sealed containers	1 kg. 6. 50
167	Cotton, uncarded, including bleached or dyed	Free
305-a	Sacks, manifestly used, of jute	Free
Ex 462-b	Motion picture film, developed	1 kg. 34. 00
Ex 468-a	Patent leather in pieces weighing each more than 1 kilo net	1 kg. 16. 00
Ex 468-b	Patent leather in pieces weighing each less than 1 kilo but not less than 0.5 kilo net	1 kg. 20. 00
Ex 468-c-3	Patent leather in pieces weighing each less than 0.5 kilo net	15% ad valorem
	Minimum duty	1 kg. 26. 00
Ex 489-b	Drive and conveyor belts, of rubber, gutta percha or balata, including those combined with textile materials	1 kg. 14. 00
490-a-1	Automobile tires without iron rims (including inner tubes)	1 kg. 20. 00
Ex 537	Desks and chairs for office use, of iron or steel sheet, lacquered, painted, enamelled, oxydized, bronzed, nickel plated, or covered with other base metals, n. o. s., or of stainless steel	1 kg. 3. 00

## LUETTELO I

Suomen tullitariffin nimike	Tavaran nimitys	Tulli Smk.
28-a	Ihra ja rasva, sulatettu <i>Muist:</i> Yhdysvalloista kunakin peräk- käisenä 12 kuukauden kautena aina 1,000,000 nettokiloon saakka Hel- singin, Turun, Viipurin tai Vaasan satamien kautta tuotavasta ihrasta ja rasvasta, mukaanluettuna neu- trallaardi, suoritetaan tullia kor- keintaan 4 markkaa nettokilolta.	
48-b:stä	Maissitärkkelys	1 kg. 1:-
75-b-2:sta	Omenat, tuoreet, jotka tuodaan maahan joulukuun 15 p:n ja kesäkuun 15 p:n välisenä aikana	1 kg. 1:50
75-b-3:sta	Päärynät ja luumut, tuoreet tai paljaal- taan keitetyt	1 kg. 1:-
75-b-4:stä	Grapehedelmät, tuoreet tai paljaaltaan keitetyt	1 kg. —:50
76-b:stä	Rusinat, kuivat tai kuivatut	1 kg. —:50
76-c:stä	Luumut, kaikenlaatuiset, kuivat tai kuivatut	1 kg. —:70
80:stä	Päärynät, aprikosit, persikat ja salaa- tiksi tarkoitetut sekahedelmät, kui- vat, kuivatut tai suolatut <i>Muist:</i> Salaatiksi tarkoitetut sekahe- delmät eivät saa sisältää kuivattuja omenia enempää kuin 15% painosta.	1 kg. 3:-
147-c:stä	Säilykkeet, myös hillotut, ilmanpitä- västi suljetuissa pakkauksissa: ana- nakset, päärynät, persikat, aprikosit, salaatiksi tarkoitetut sekahedelmät, grapehedelmät, tomaattimehu ja parsa	1 kg. 6:50
167	Puuvilla, karstaamaton, myös valkaistu tai värjätty	Vapaa
305-a	Säkit, ilmeisesti käytetyt, juutista val- mistetut	Vapaat
462-b:stä	Elokuvafilmit, kehitetyt	1 kg. 34:-
468-a:sta	Kiiltonahka, kappaleina, jotka painavat yli 1 kg. netto	1 kg. 16:-
468-b:stä	Kiiltonahka, kappaleina, jotka painavat alle 1 kg. mutta ei alle 0.5 kg. netto	1 kg. 20:-
468-c-3:sta	Kiiltonahka, kappaleina, jotka painavat alle 0.5 kg. netto	15% arvosta
489-b:stä	Käyttö- ja kuljetushinnat, kautsusta, guttaperkasta ja balatasta, myös jos niissä on kehruuaineita	Vähin tulli 1 kg. 26:- 1 kg. 14:-
490-a-1	Automobiilirenkaat, joissa ei ole rauta- kiskoja, myös sisärenkaat	1 kg. 20:-
537:stä	Konttoripöydät ja -tuolit, rautatai teräs- levyistä valmistetut, lakatut, maalatut, emaljoidut, hapetetut, pronssatut, nik- kelöidyt tai muilla, erikseen mainitse- mattomilla epäjaloilla metalleilla sila- tut: myös ruostumattomasta teräkse- stä valmistetut	1 kg. 3:-

## Schedule I—Contd.

## SCHEDULE I—Contd.

<i>Finnish Tariff Number</i>	<i>Description of Articles</i>	<i>Rate of Duty in Finnish Marks</i>	
Ex 637	Copper rods, including those in bundles or coils, of 5 mm. or more in greatest dimension of cross-section, rolled, drawn, forged or pressed to profile, but not further elaborated	1 kg.	0.30
683-b	Refrigerating machines weighing each 500 kilos net or less	1 kg.	2.50
Ex 684-a	Refrigerating machines weighing each over 500 kilos but not over 2,500 kilos net	1 kg.	1.60
Ex 685-a	Refrigerating machines weighing each over 2,500 kilos net, per kilo in excess of that weight	1 kg.	1.20
	<i>Note:</i> The present customs treatment of parts of mechanical refrigerators and of refrigerating machines will continue to apply.		
700-a	Calculating machines and cash registers	1 kg.	15.00
700-b	Typewriters and duplicating machines	1 kg.	10.00
	<i>Ex Note to Tariff No. 700:</i> In case the importer is able to prove that machines falling under tariff number 700, sections a and b, are not manufactured in Finland, the duties are reduced by 50 percent.		
708-a-1-aa-2	Passenger automobiles of a maximum value of 80,000 Finnish marks each, when the cylinder volume exceeds 1600 cubic centimeters, and chassis and other parts, n. o. s., for passenger automobiles of all kinds; also chassis for motor trucks and parts, n. o. s., for such chassis		14% ad valorem
	Minimum duty	1 kg.	3.50
708-a-1-ab	Motor trucks and parts, n. o. s., therefor		14% ad valorem
	Minimum duty	1 kg.	3.50
708-a-2	Passenger automobiles of a value over 80,000 Finnish marks but not over 160,000 Finnish marks each		21% ad valorem
	Minimum duty	1 kg.	5.25
708-a-3	Passenger automobiles of a value over 160,000 Finnish marks each		28% ad valorem
	Minimum duty	1 kg.	7.00
Ex 811-b-2	Gasoline	1 kg.	2.00

## LUETTELO I—Jatk.

<i>Suomen tullitariffin nimike</i>	<i>Tavaran nimitys</i>	<i>Tulli Smk.</i>
637:stä	Kuparitangot, myös kimppuina tai renkaina, joissa poikkileikkausmuodon suurin läpimitta on vähintään 5 mm., valssatut, vedetyt, taotut tai profilipuristeiset, mutta ilman enempää muovailua	1 kg. --:30
683-b	Jäähdytyskoneet, joiden nettopaino kapaleelta on enintään 500 kg.	1 kg. 2:50
684-a:sta	Jäähdytyskoneet, joiden nettopaino kapaleelta on yli 500 kg:n, mutta ei yli 2,500 kg:n	1 kg. 1:60
685-a:sta	Jäähdytyskoneet, joiden nettopaino kapaleelta on yli 2,500 kg:n, kultakin tämän yli olevalta kg:lta	1 kg. 1:20
	<i>Muist:</i> Nykyistä mekaanisten jäähdytyskaappien sekä jäähdytyskoneiden osien tullikäsittelyä sovelletaan edelleenkin.	
700-a	Lasku- ja kassantarkastuskoneet	1 kg. 15:--
700-b	Kirjoitus- ja monistelukoneet	1 kg. 10:--
	<i>Muistutuksesta nimikkeeseen 700:</i> jos maahantuojia voi näyttää toteen, että nimikkeen 700 kohtiin a) ja b) luettavia koneita ei valmisteta Suomessa, myönnetään 50%:n tullialennus.	
708-a-1-aa-2	Henkilöautomobiilit, joiden arvo on enintään 80,000 Smk. kpl. koneen silinteritilavuuden ollessa enemmän kuin 1,600 cm <sup>3</sup> ; samoin kaikkien henkilöautomobiilien alustat ja muut osat, erikseen mainitsemattomat; niin myös kuormaautomobiilien alustat ja alustojen osat, erikseen mainitsemattomat	
	Vähin tulli	1 kg. 14% arvosta 3:50
708-a-1-ab	Kuorma-automobiilit ja niiden osat, erikseen mainitsemattomat	
	Vähin tulli	1 kg. 14% arvosta 3:50
708-a-2	Henkilöautomobiilit arvoltaan yli 80,000 Smk., mutta ei yli 160,000 Smk. kpl.	
	Vähin tulli	1 kg. 21% arvosta 5:25
708-a-3	Henkilöautomobiilit arvoltaan yli 160,000 Smk. kpl.	
	Vähin tulli	1 kg. 28% arvosta 7:--
811-b-2:sta	Gasolini	1 kg. 2:--

## Schedule II.

## SCHEDULE II

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles.

In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.

<i>United States Tariff Act of 1930 Paragraph</i>	<i>Description of Articles</i>	<i>Rate of Duty</i>
234 (a)	Granite suitable for use as monumental, paving, or building stone, not specially provided for:	30% ad val.
	Hewn, dressed, pointed, pitched, lined, or polished, or otherwise manufactured (including paving blocks)	
	Unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished	12½¢ per cubic foot
	<i>Note:</i> The existing customs classification treatment of granite suitable for use as monumental, paving, or building stone, which has been roughly squared merely for the purpose of facilitating its shipment to the United States, as "unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished" in accordance with the ruling announced in Treasury Decision 44791-4 (59 Treasury Decisions 850) shall be continued during the effective period of this Agreement.	
372	Cream separators valued at more than \$50 and not more than \$100 each	12½% ad val.
405	Plywood wholly or in chief value of birch	20% ad val. and in addition thereto 5% ad val.
412	Spools wholly of wood suitable for thread, not including bobbins	25% ad val.
710	Cheese having the eye formation characteristic of the Swiss or Emmenthaler type; and Gruyere process-cheese	5¢ per lb., but not less than 20% ad val.



## LUETTELO II

**Muist:** Tämän luettelon määräykset on tulkittava, niitten vaikutuksen tulee olla sama ja Yhdysvaltojen tullilakien täydentävien määräysten soveltaminen tämän luettelon määräyksiin on, mikäli mahdollista, ratkaistava kuin jos jokainen tämän luettelon määräys olisi otettu kunkin tavaramääritelmän vasemmalla puolella olevaan sarakkeeseen merkittyyn asetuksenmukaiseen määräykseen.

Niihin tässä luettelossa mainittuihin tuotteisiin nähden, jotka ovat tämän sopimuksen allekirjoittamispäivänä lisättyjen tai erityisten varsinaisten tullien alaisia, olkootpa ne määrätty kunkin tavaramääritelmän vasemmalla puolella olevaan sarakkeeseen merkityn asetuksenmukaisen määräyksen perusteella tai ei, tulevat tällaiset erityiset tullit tai lisätullit, ottaen huomioon ne alennukset, jotka sisältyvät tähän luetteloon tai joita myöhemmin tehdään, jäämään voimaan siksi kunnes niitten voimassaolo lain mukaan päättyy, mutta niitä ei saa korottaa.

*Yhdysvaltojen  
v. 1930 tariffi-  
lain pykälä*

*Tavaran nimitys*

*Tulli*

234 (a)	Graniitti, monumentti-, katu- tai rakennuskivenä käytettävä, ei muualla mainittu, hienoksi hakattu, hiottu, reunoilta puhtaaksi hakattu, piikattu eräällä tavalla hakattu, kiillotettu tai muulla tavoin muokattu (myös tie- tai katukivet)	30% arvosta
	Graniitti, muokkaamaton, eli ei hiottu, reunoilta puhtaaksi hakattu, piikattu, eräällä tavalla hakattu, hienoksi hakattu tai kiillotettu	12½ c. kuutiojalalta

*Muist:* Graniittia, joka on tarkoitettu monumentti-, katu- tai rakennuskivenä käytettäväksi ja joka karkeana kappaleena louhittuna on tasotettu (reunoilta puhtaaksi meislattu) vain helpottaakseen kuljetusta Yhdysvaltoihin, käsitellään tullattaessa edelleen "muokkaamattomana, eli ei hiottuna, reunoilta puhtaaksi hakattuna, piikattuna, eräällä tavalla hakattuna, hienoksi hakattuna tai kiillotettuna" Treasury Decision 44791-4:ssä (59 Treasury Decisions 850) julkaistun päätöksen mukaisesti, niin kauan kuin tämä sopimus on voimassa.

372	Separaattorit, arvoltaan 50-100 dollaria	12½% arvosta
405	Ristiinliimattu faneri, yksinomaan tai pääasialliselta arvoltaan koivusta valmistettu	25% arvosta
412	Yksinomaan puusta valmistetut rullat lankaa varten, bobiineja lukuunottamatta	25% arvosta
710	Juusto, jossa on sveitsiläistä emmenthal-juustolle ominainen reijitys; sekä sulatettu gruyère-juusto	5 c. per lb., tai ainakin 20% arvosta

## Schedule II—Contd.

## SCHEDULE II—Contd.

<i>United States Tariff Act of 1890 Paragraph</i>	<i>Description of Articles</i>	<i>Rate of Duty</i>
1402	Paper board, wallboard, and pulpboard, including cardboard, and leather board or compress leather, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated, or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for, except pulpboard in rolls for use in the manufacture of wallboard	10% ad val.
1405	Vegetable parchment paper by whatever name known	2¢ per lb. and 10% ad val.
1409	Wrapping paper not specially provided for: Sulphate	20% ad val. 25% ad val.
1413	Other, except straw paper Paper board and pulpboard, including cardboard and leather-board or compress leather, plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, or decorated or ornamented in any manner, except pulpboard in rolls for use in the manufacture of wallboard	\$14.50 per ton of 2,000 lbs., but not less than 15% nor more than 30% ad val.
1516	Matches, friction or lucifer, of all descriptions, per gross of one hundred and forty-four boxes, containing not more than one hundred matches per box	17½¢ per gross
1604	Cream separators valued at not more than \$50 each, whether in whole or in parts, including repair parts	Free
1716	Mechanically ground wood pulp, chemical wood pulp, unbleached or bleached	Free
1772	Standard newsprint paper	Free

## LUETTELO II—Jatk.

Yhdysvaltojen  
v. 1930 tariffi-  
lain pykälä

Tavaran nimitys

Tulli

1402	Pahvi, rakennuspahvi ja massapahvi, kartonki ja ruskea pahvi tai jäljennetty nahka mukaanluettuina, ei levykiilloitettu, superkalanteroitu tai kitkakalanteroitu, liisteriaineella yhteenliisteröity, sivelty, pintavärjätty tai pintakerros massana värjätty, päällystetty tai pintakerroksella varustettu, kuvioitu, painettu tai jollakin tavalla koristeltu, ei myöskään valmiiksi leikattuna laatikoita tai muita tuotteita varten eikä erikseen mainittu, lukuunottamatta pahvia rullissa rakennuspahvin valmistusta varten	10% arvosta
1405	Oikea pergamenttipaperi (tunnettu minkä nimisenä tahansa)	2 c. per lb., ja 10% arvosta
1409	Käärepaperi, muualla mainitsematon: Sulfaatti	20% arvosta
	Muu, olkipaperia lukuunottamatta	25% arvosta
1413	Pahvi ja massapahvi, kartonki ja ruskea pahvi tai jäljennetty nahka mukaanluettuina, levykiilloitettu, superkalanteroitu tai kitkakalanteroitu, liisteriaineella yhteenliisteröity, sivelty, pintavärjätty tai pintakerros massana värjätty, päällystetty tai pintakerroksella varustettu, kuvioitu, painettu tai jollakin tavalla koristeltu, lukuunottamatta pahvia rullissa rakennuspahvin valmistusta varten	\$14.50 tonnilta à 2000 lbs., kuitenkin vähintään 15% arvosta ja enintään 30% arvosta
1516	Tulitikut, friktio- tai lucifer-, kaikenlaiset, 144 laatikon grosseissa, kukin laatikko sisältäen korkeintaan 100 tulitikkua	17½ c. grossilta
1604	Separattorit, arvoltaan korkeintaan \$50, kokonaan tai osissa, varaosat mukaan luettuina	Vapaat
1716	Mekaaninen puumassa, kemiallinen puumassa, valkaisematon tai valkaistu	Vapaa
1772	“Standard” sanomalehtipaperi	Vapaa

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

*Ante*, p. 1447.

WHEREAS it is stipulated in Article XIX of the said Agreement that the Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and approval thereof by the President of the Republic of Finland, or should the proclamation be issued and the approval be given on different days, on the thirtieth day following the date of the later in time of such proclamation or approval;

WHEREAS the said Agreement, including the two Schedules, was approved by the President of the Republic of Finland on October 2, 1936;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after November 2, 1936, the thirtieth day following October 3, 1936, the date of this my proclamation of the said Agreement.

48 Stat. 943.  
19 U. S. C. § 1351.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this third day of October in the  
year of our Lord one thousand nine hundred and  
[SEAL] thirty-six and of the Independence of the United  
States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Agreement between the United States of America and Brazil respecting a military mission. Signed November 12, 1936; effective November 12, 1936.* November 12, 1936  
[E. A. S. No. 96]

## AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL

Agreement with  
Brazil respecting a  
military mission.

49 Stat. 3848.  
44 Stat. 565.

49 Stat. 218.

In conformity with the request made on November 9, 1935, by the Brazilian Ambassador at Washington to the Secretary of State of the UNITED STATES OF AMERICA, and the notes of November 9, December 16 and December 19, 1935, the President of the UNITED STATES OF AMERICA, by virtue of the authority conferred by the Act of Congress, approved May 19, 1926, entitled "an Act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin American Republics in military and naval matters", as amended by an Act of May 14, 1935, to include the Commonwealth of the Philippine Islands, has authorized the continuance of the detail of officers constituting an American Military Mission to BRAZIL, upon the following agreed conditions:

### TITLE I

#### PURPOSE AND DURATION

Purpose and dura-  
tion.

Art. 1. The purpose of the Mission is to cooperate with the General Staff, Office of the Chief of Coast Defense and officers of the Brazilian Army in the development and functioning of the Coast Artillery Instruction Center, to superintend the courses and assist in the instruction. The Mission will also have charge of the courses and assist in the instruction of the subjects of Permanent Fortification and Chemical Warfare at the Technical School.

Art. 2. This Mission shall continue for two years from the date of the signing of this agreement by the accredited representatives of the Governments of the UNITED STATES OF AMERICA and the UNITED STATES OF BRAZIL.

Art. 3. If the Government of BRAZIL should desire that the service of the Mission should be extended, in whole or in part, beyond the period stipulated, a proposal to that effect must be made six months before the expiration of this agreement.

Art. 4. If it should be necessary, in the interest of either one of the two Governments, that the present contract or its extension be terminated before the time specified, the Government so desiring must give notice to the other three months in advance.

## ACCORDO ENTRE OS GOVERNOS DOS ESTADOS UNIDOS DA AMERICA E DOS ESTADOS UNIDOS DO BRASIL

De conformidade com o pedido feito a 9 de Novembro de 1935, pelo Embaixador do BRASIL em WASHINGTON ao Secretario de Estado dos ESTADOS UNIDOS DA AMERICA e com as notas de 9 de Novembro, 16 de Dezembro e 19 de Dezembro de 1935, o Presidente dos ESTADOS UNIDOS DA AMERICA, em virtude da autoridade que lhe é conferida pela lei do Congresso, approvada a 19 de Maio de 1926 e intitulada "lei que autoriza o Presidente a designar officiaes e homens alistados do Exercito, da Marinha e dos Batalhões Navaes dos ESTADOS UNIDOS para assistirem os Governos das Republicas da America Latina em assumptos militares e navaes", e alterada pela lei de 14 de Maio de 1935 para incluir o "Commonwealth" das Ilhas Philippinas, autorizou a continuação da designação de officiaes que constituem uma Missão militar no BRASIL, nas seguintes condições contractuaes:

### TITULO I

#### FIM E DURAÇÃO

Art. 1. O fim da Missão é cooperar com o Estado Maior do Exercito, com a Inspectoria de Defesa de Costa e com Officiaes do Exercito brasileiro, no desenvolvimento e funcionamento do Centro de Instrucção de Artilharia de Costa, superintender os cursos e auxiliar a instrucção. A Missão terá tambem a seu cargo os cursos de Fortificação Permanente e Guerra Chimica na Escola Technica do Exercito, onde auxiliará a respectiva instrucção.

Art. 2. Esta Missão durará dois annos a partir da data da assignatura deste accôrdo pelos representantes autorizados dos Governos dos ESTADOS UNIDOS DA AMERICA e dos ESTADOS UNIDOS DO BRASIL.

Art. 3. Se o Governo do Brasil desejar que o serviço da Missão se prolongue, no todo ou em parte, além do periodo estipulado, uma proposta para esse fim deverá ser feita seis mezes antes do termo deste contracto.

Art. 4. Se fôr necessario, no interesse de qualquer dos dois Governos, que o presente contracto, ou seu prolongamento, termine antes do tempo especificado, o Governo que o desejar deverá notificá-lo ao outro tres mezes antes.

Art. 5. It is herein stipulated and agreed that while the Mission shall be in operation under this agreement, or under an extension thereof, the Government of BRAZIL will not engage the services of any Mission or personnel of any other foreign government for the duties and purposes contemplated by this agreement.

## TITLE II

### COMPOSITION AND PERSONNEL

Composition and personnel.

Art. 6. The Mission will be composed of four officers of the Regular Army of the United States of America as follows: one Colonel or Lieutenant Colonel of Coast Artillery; one Major or Captain of Coast Artillery; one Lieutenant Colonel or Major of Engineers; and one Major or Captain of the Chemical Warfare Service. The senior Coast Artillery Officer will be Chief of the Mission, who will assure normally the direct relations of the Mission with the Minister of War and the Chief of Staff of the Army.

Art. 7. Any additions to the personnel of the Mission that may be considered advisable or necessary shall be considered as an addendum to this agreement.

## TITLE III

### DUTIES, RANK AND PRECEDENCE

Duties, rank, and precedence.

Art. 8. The members of the Mission shall be responsible solely to the Brazilian Ministry of War through the Chief of the Mission and shall act as tactical and technical advisers to the Chief of the General Staff and Chief of Coast Defense for the questions of organization and instruction in all matters pertaining to Coast Defense, Permanent Fortification, and Chemical Warfare.

Art. 9. It shall be the duty of the members of the Mission, under the direction of the Chief of the Mission, to advise technically the Commandant of the Coast Artillery Center of Instruction and the Commandant of the Technical School and cooperate with them in all matters pertaining to Coast Defense, Permanent Fortification, and Chemical Warfare, as well as prescribing the courses in these subjects and assisting in the instruction.

Art. 10. In case of war between BRAZIL and any other nation, the Mission shall terminate. In case of civil war no member of the Mission shall take part in the operations in any respect.

Art. 11. The members of the Mission shall each receive one extra grade or rank above the rank they hold in the Army of the United States of America, while serving on the Mission. Their precedence with respect to Brazilian Officers and Officers of other foreign missions shall be in accordance with their extra grade or rank and seniority therein. The members of the Mission will receive no extra compensation for the above mentioned extra grade or rank and will wear only uniforms of the Army of the United States of America.

<sup>1</sup> So in original.



Art. 5. E' aqui estipulado e accordado que, emquanto a Missão funcionar sob este accôrdo, ou seu prolongamento, o Governo do BRASIL não contractará os serviços de qualquer Missão ou pessoal de qualquer outro Governo estrangeiro para as funcções e fins tratados neste accôrdo.

## TITULO II

### COMPOSIÇÃO E PESSOAL

Art. 6. A Missão compor-se-á de quatro officiaes do Exercito dos ESTADOS UNIDOS DA AMERICA, a saber: um Coronel ou Tenente-Coronel de Artilharia de Costa; um Major ou Capitão de Artilharia de Costa; um Tenente-Coronel ou Major de Engenharia; e um Major ou Capitão do Serviço de Guerra Chimica. O official mais antigo de Artilharia de Costa será o Chefe da Missão, o qual assegurará normalmente as relações directas da Missão com o Ministro da Guerra e o Chefe do Estado Maior do Exercito.

Art. 7. Qualquer augmento do pessoal da Missão, que se julgar conveniente, ou necessario, será considerado como additamento a este accôrdo.

## TITULO III

### DEVERES, GRADUAÇÃO E PRECEDENCIA

Art. 8. Os membros da Missão ficarão unicamente subordinados ao Ministerio da Guerra do BRASIL, por intermedio do Chefe da Missão, e exercerão junto ao Chefe do Estado Maior do Exercito e Inspector da Defesa de Costa o papel de conselheiros tacticos e technicos para as questões de organização e instrucção nos assumptos relativos á Defesa de Costa, Fortificações Permanentes e Guerra Chimica.

Art. 9. E' dever dos membros da Missão, sob a direcção do Chefe da mesma, aconselhar tecnicamente o Commandante do Centro de Instrucção de Artilharia de Costa e o da Escola Technica do Exercito e com elles cooperar em todos os assumptos referentes á Defesa de Costa, Fortificações Permanentes e Guerra Chimica, bem como prescrever os cursos nos ditos assumptos e auxiliar a instrucção.

Art. 10. Em caso de guerra entre o BRASIL e qualquer outra Nação, será extincta a Missão. Em caso de guerra civil, nenhum membro da Missão tomará parte nas operações, de modo algum.

Art. 11. Os membros da Missão receberão cada um uma graduação ou posto immediatamente acima da que têm no Exercito americano, emquanto servirem na Missão. Sua precedencia em relação aos officiaes brasileiros e officiaes de outras missões estrangeiras será regulada de accôrdo com a graduação acima referida e a antiguidade. Não receberão nenhuma remuneração extraordinaria pela dita graduação e só usarão uniformes do Exercito dos Estados Unidos da America.

TITLE IV

PAY AND ALLOWANCES

Pay and allowances.

Art. 12. The members of the Mission shall receive from the Brazilian Government, for their services, the following annual compensation in Brazilian paper money, payable monthly in 12 equal installments:

Colonel . . . . .	72:000\$000 (Seventy-two contos)
Lieutenant Colonel . . .	66:000\$000 (Sixty-six contos)
Major . . . . .	60:000\$000 (Sixty contos)
Captain . . . . .	54:000\$000 (Fifty-four contos)

Art. 13. Each member of the Mission shall have the right to receive his Brazilian pay beginning on the date of his leaving New York, and continuing, upon completion of his service in the Mission, up to the date of his arrival in New York, proceeding each way by usual sea route. Any member of the Mission who may return to the UNITED STATES before completing two years service, or who returns for one of the causes foreseen in Art. 26, will only receive full pay up to the date of his leaving RIO DE JANEIRO, except in the cases of ill-health or termination of the contract of the Mission in which cases payment will be made up to arrival in New York.

Art. 14. It is further stipulated that this compensation shall not be subject to any Brazilian tax<sup>1</sup> now in force or which may hereafter be imposed.

Art. 15. The expenses of transportation by land and sea of the members of the Mission, their families, household effect<sup>1</sup> and baggage, including automobiles, shall be paid in advance by the representative of the Brazilian Government, the officers and their families being furnished with firstclass accommodations, families being construed as wives and dependent children throughout the contract. There shall be provided in advance the following allowance to cover expenses of locating and housing each member of the Mission:

Colonel . . . . .	6:000\$000
Lieutenant Colonel . . . . .	5:500\$000
Major . . . . .	5:000\$000
Captain . . . . .	4:500\$000

The household effects and baggage including automobiles of the personnel of the Mission and their families shall be exempt from customs duties and imposts of any kind in BRAZIL.

Art. 16. The members of the Mission who remain in Brazil two or more years, or until the termination of the Mission, shall have the right, when they return to the UNITED STATES OF AMERICA, to the advance payment of transportation expenses of themselves and their families and all effects, as specified in Art. 15, and insurance of effects, from RIO DE JANEIRO to NEW YORK; these expenses to include packing effects and transporting them on board ship in RIO DE JANEIRO.

Art. 17. During the stay of the Mission, the Government of BRAZIL shall grant, on request of the Chief of the Mission, free entry for articles of personal and family use; families being construed as wives, and dependent children.

<sup>1</sup> So in original.

## TITULO IV

## REMUNERAÇÃO E VANTAGENS

Art. 12. Os membros da Missão receberão do Governo Brasileiro, por seus serviços, a seguinte remuneração annual, em moeda papel brasileira, pagavel, mensalmente, em 12 prestações iguaes:

Coronel . . . . .	72:000\$000	(Setenta e dois contos)
Tenente-Coronel . . . . .	66:000\$000	(Sessenta e seis contos)
Major . . . . .	60:000\$000	(Sessenta contos)
Capitão. . . . .	54:000\$000	(Cincoenta e quatro contos)

Art. 13. Todos os membros da Missão terão direito a receber os seus vencimentos brasileiros desde a data de sua partida de Nova York até a de chegada á mesma cidade, de regresso, depois de terminado o seu serviço na Missão, sendo utilizada nas viagens a rota marítima usual. Qualquer membro da Missão que regressar aos Estados Unidos antes de completar dois annos de serviço ou aquelle que partir por uma das causas previstas no art. 26, só receberá, entretanto, os seus vencimentos integraes até a data da partida do RIO DE JANEIRO; exceptuam-se os casos de doenças ou de terminação do contracto da Missão, em que o pagamento será feito até a chegada a Nova York.

Art. 14. Fica além disto estipulado que essa remuneração não está sujeita a imposto algum brasileiro em vigor, ou que possa ser criado posteriormente.

Art. 15. As despesas de transporte por terra e mar, dos membros da Missão, suas familias, moveis e utensilios de casa e bagagens, inclusive automoveis, serão pagas adiantadamente pelo representante do Governo Brasileiro, fornecendo-se aos officiaes e suas familias passagens de 1ª classe, entendendo-se neste contracto por familia a Senhora e filhos a cargo dos mesmos officiaes. Será concedida tambem adiantadamente a seguinte ajuda de custo, para as despesas de instalação de cada membro da Missão:

Coronel . . . . .	6:000\$000
Tenente-Coronel . . . . .	5:500\$000
Major . . . . .	5:000\$000
Capitão . . . . .	4:500\$000

Os moveis, objectos de casa, bagagem e automoveis, do pessoal da Missão e suas familias, estarão isentos de direitos aduaneiros e impostos, de qualquer natureza, do BRASIL.

Art. 16. Os membros da Missão que permanecerem no BRASIL dois ou mais annos, ou até a terminação da mesma, terão direito, quando regressarem aos Estados Unidos da America, ao pagamento adiantado das despesas de transporte constantes do art. 15, para si, suas respectivas familias e bagagens, inclusive automoveis, seguro das mesmas bagagens do RIO DE JANEIRO até Nova York, inclusive embalagem e transporte para bordo, no RIO DE JANEIRO.

Art. 17. Durante a permanencia da Missão, o Governo do BRASIL concederá, mediante pedido de seu Chefe, entrada livre para os artigos de uso pessoal e das familias; considerando-se como familias as Senhoras e os filhos a cargo dos officiaes.

Art. 18. Each member of the Mission with more than two complete years of service in Brazil shall have the right to a leave of three months on full pay, and also the right of leaving BRAZIL. In case he leaves BRAZIL, he shall have the right to travel time in addition to his leave and he shall receive his full pay in Brazilian money at the rate specified in Art. 12, during both his leave and time of travel. The Chief of the Mission shall arrange, after consultation with the Chief of the General Staff, that such leaves inconvenience as little as possible the interests of the Brazilian Army.

Art. 19. Members of the Mission who may become ill, shall be cared for by the Brazilian Government, in such hospital as the Chief of the Mission may, after consultation with the Brazilian authorities, consider suitable.

Art. 20. In case of travel performed on official business outside of the Federal District and Nietheroy, by any member of the Mission, such member shall receive while engaged therein, besides his regular compensation, *per diem* allowances and transportation which shall be the same as those allowed to the officers of the Brazilian Army of the same rank and in like circumstances.

Art. 21. The officers of the Mission shall be accorded the same rights and privileges which are enjoyed by diplomatic representatives accredited to Brazil and of corresponding rank, except as regards the rights of importation mentioned above.

Art. 22. A suitable automobile with chauffeur shall be permanently assigned to the Chief of the Mission for the use of the Mission on official service. When this automobile is unavailable because of repair, overhaul or other reason a suitable substitute will be provided.

Art. 23. A private office and necessary equipment shall be provided the members of the Mission for their work.

Art. 24. Every member of the Mission shall have a Brazilian officer detailed as an assistant.

Art. 25. If cancellation of this contract be effected on the request of the UNITED STATES OF AMERICA, all expenses of the return of the Mission and the families and all effects thereof to their country shall be borne by that Government. In case, however, the cancellation should be effected on the initiative of the Brazilian Government, or as a result of war between BRAZIL and a foreign power, the Brazilian Government shall bear all the costs of the return to the UNITED STATES OF AMERICA of the Mission and the families and all effects thereof, in accordance with the provision of Arts. 13 and 16, and in addition thereto, the Brazilian Government shall pay to each officer an amount equivalent to three months compensation from the date of his arrival in New York proceeding by usually traveled sea route.

## TITLE V

### RECALL AND REPLACEMENT OF MEMBERS OF THE MISSION

Art. 26. The UNITED STATES OF AMERICA, may if the public interest so requires, recall, at any time, any one or all of the members of the Mission, substituting for them other officers acceptable to the Brazilian

Members of the Mission.

Recall and replacement.

Art. 18. Cada membro da Missão, com mais de dois annos completos de serviços no BRASIL, fará jús a uma licença de tres mezes, com todos os vencimentos e com o direito de ausentar-se do BRASIL, não incluindo na licença, neste caso, o tempo de viagem. Durante essa ausencia, comprehendida a viagem, cada membro da Missão receberá integralmente os seus vencimentos em moeda brasileira, como se acha especificado no art. 12. O Chefe da Missão providenciará, ouvido o Chefe do Estado Maior do Exercito, para que essas licenças prejudiquem o menos possivel os interesses do Exercito brasileiro.

Art. 19. Os membros da Missão que adoecem serão internados pelo Governo Brasileiro no hospital que o Chefe da Missão julgar conveniente, depois de ouvidas as autoridades brasileiras.

Art. 20. No caso de viagens feitas a serviço, fóra do Districto Federal e Nictheroy, por qualquer membro da Missão, receberá elle, além dos vencimentos que lhe competem, as mesmas diarias e genero de transporte concedidos aos officiaes do Exercito brasileiro, de identica gradação, em condições semelhantes.

Art. 21. Serão concedidos aos officiaes da Missão os mesmos direitos e privilegios de que gozam os representantes diplomaticos de igual categoria acreditados no BRASIL, excepto no que diz respeito aos direitos de importação, já mencionados.

Art. 22. Um automovel de classe, com "chauffeur", será permanentemente posto á disposição do Chefe da Missão, para o transporte dos officiaes da mesma em serviço. Quando esse automovel não estiver disponivel, por necessitar reparos, exames ou outra qualquer razão, será substituido por outro, nas mesmas condições.

Art. 23. Os membros da Missão disporão, para os seus trabalhos, de um Gabinete e o necessario material de expediente.

Art. 24. Junto a cada membro da Missão haverá um official brasileiro, destacado como assistente.

Art. 25. Se este contracto fôr rescindido a pedido dos ESTADOS UNIDOS DA AMERICA, todas as despesas com a volta dos membros da Missão, suas familias e todas as suas bagagens, definidas no art. 15, a seu paiz, serão feitas por esse Governo. Se se verificar, porém, essa rescisão por iniciativa do Governo Brasileiro ou em consequencia de uma guerra entre o BRASIL e uma Nação estrangeira, o Governo Brasileiro fará face a todas as despesas para o regresso aos ESTADOS UNIDOS DA AMERICA dos membros da Missão, de suas respectivas familias e bagagens, de accôrdo com as estipulações dos arts. 13 e 16, devendo, outrosim, o Governo Brasileiro pagar a cada official uma quantia equivalente a tres mezes de vencimentos a partir da data de sua chegada a Nova York, em viagem normal por via maritima.

## TITULO V

### RETIRADA E SUBSTITUIÇÃO DOS MEMBROS DA MISSÃO

Art. 26. Os ESTADOS UNIDOS DA AMERICA poderão, se o interesse publico o exigir, retirar, em qualquer tempo, qualquer um dos membros da Missão ou todos elles, substituindo-os por outros officiaes do agrado

Government, all the expenses connected therewith being incumbent on the Government of the UNITED STATES OF AMERICA. If on the request of the Brazilian Government, any member of the Mission is recalled for due and just cause other than that of the termination of his services on the Mission or his illness, all the expenses connected with the return shall be incumbent on the UNITED STATES OF AMERICA.

Art. 27. Any member of the Mission may be relieved on his own request, by the Government of the UNITED STATES OF AMERICA, after two years of service in BRAZIL, being replaced in each case by an officer of corresponding rank and arm, as specified in Article 6, who is acceptable to the Brazilian Government.

Art. 28. No member of the Mission relieved on his own request before he gives two years service shall be entitled to travel expenses and transportation of effects at the expense of the Brazilian Government except in case of illness.

Art. 29. If any member of the Mission should be obliged by illness to discontinue service with the Mission, the Brazilian Government shall bear the expenses of return of himself, family and all effects thereof, to the UNITED STATES as above stipulated for members with more than two years of service.

Art. 30. If a member of the Mission or one of his family should die in BRAZIL, the Brazilian Government shall have the body transported to such city in the UNITED STATES as the family of the deceased may designate. In case the deceased should be a member of the Mission, the Brazilian Government shall pay the expenses of the travel of the family and the transportation of all their effects to NEW YORK.

Art. 31. In case of substitution for a member of the Mission, all the clauses of this agreement, except in cases of express provisions to the contrary, shall apply to the substitute, including those specified in Articles 13 and 15.

## TITLE VI

### SUPERSESION OF ORIGINAL CONTRACT AND AUTHENTICATION OF NEW AGREEMENT

Art. 32. From the date of signing of this new agreement, embodied herein, by the accredited representatives of the Governments of the UNITED STATES OF AMERICA and of the UNITED STATES OF BRAZIL it will be in full effect and supersede entirely and in all particulars the original contract, signed at WASHINGTON May 10, 1934, by the Secretary of State of the UNITED STATES OF AMERICA, and the Brazilian Ambassador to the UNITED STATES OF AMERICA, and all supplementary agreements thereto.

Art. 33. IN FAITH WHEREOF, the undersigned, being duly authorized, sign the present contract in two texts, each one in the English and Portuguese languages, at RIO DE JANEIRO, the twelfth day of November of 1936.

[SEAL]	R. M. SCOTTEN
[SEAL]	JOSÉ CARLOS DE MACEDO SOARES
[SEAL]	GEN. JOÃO GOMES RIBEIRO FILHO

Supersession of original contract and authentication of new Agreement.

Effective date.

49 Stat. 3543.

Signatures.

do Governo Brasileiro, devendo todas as despesas d'ahi resultantes correr por conta do Governo dos ESTADOS UNIDOS DA AMERICA. Se, a pedido do Governo Brasileiro, algum membro da Missão fôr retirado e regressar por qualquer outra causa justa, que não a da terminação de seus serviços na Missão ou de doença, todas as despesas, com esse regresso, correrão por conta dos ESTADOS UNIDOS DA AMERICA.

Art. 27. Qualquer membro da Missão poderá ser exonerado, a seu pedido, pelo Governo dos ESTADOS UNIDOS DA AMERICA, depois de dois annos de serviço no BRASIL, sendo substituído em cada caso por um official de graduação e arma correspondentes, como preceitua o art. 6, e que seja acceto pelo Governo Brasileiro.

Art. 28. Nenhum membro da Missão, exonerado a seu pedido, antes de completar dois annos de serviço, terá as despesas de viagem de regresso, e de transporte de objectos e bagagem, pagas á custa do Governo Brasileiro, excepto em caso de doença.

Art. 29. Se algum membro da Missão for obrigado por doença a interromper o serviço, o Governo Brasileiro pagará as despesas de regresso do mesmo, de sua familia e respectiva bagagem, aos ESTADOS UNIDOS, na fórmula estipulada para os officiaes que tenham completado os dois annos de serviço.

Art. 30. Se algum membro da Missão, ou pessoa de sua familia, fallecer no BRASIL, o Governo Brasileiro fará transportar o corpo para a cidade dos ESTADOS UNIDOS que a familia do morto indicar. Se o morto fôr um dos contractados, o Governo Brasileiro pagará as despesas de viagem da familia e transporte de bagagens até Nova York.

Art. 31. No caso de substituição de um membro da Missão, todas as clausulas deste accôrdo, excepto no caso de disposição expressa em contrario, se applicarão ao substituído, inclusive as especificadas nos arts. 13 e 15.

## TITULO VI

### REVOGAÇÃO DO CONTRACTO ORIGINAL E AUTHENTICAÇÃO DO NOVO ACCÔRDO

Art. 32. A partir da data da assignatura deste novo accôrdo aqui especificado, pelos representantes autorizados dos ESTADOS UNIDOS DA AMERICA e dos ESTADOS UNIDOS DO BRASIL, elle entrará em pleno vigor e substituirá inteiramente e em todas as suas particularidades o contracto original, assignado a 10 de Maio de 1934 em WASHINGTON pelo Secretario de Estado dos ESTADOS UNIDOS DA AMERICA e o Embaixador do BRASIL nos ESTADOS UNIDOS DA AMERICA, e todos os accôrdos supplementares ao mesmo.

Art. 33. EM TESTEMUNHO DO QUE, os abaixo assignados, devidamente autorizados, assignam o presente contracto em dois textos, cada um nos idiomas inglez e portuguez, no RIO DE JANEIRO, no dia doze de Novembro de mil nocentos e trinta e seis.

[SEAL]	R. M. SCOTTEN
[SEAL]	JOSÉ CARLOS DE MACEDO SOARES
[SEAL]	GEN. JOÃO GOMES RIBEIRO FILHO.

December 10 and 12,  
1936  
[E. A. S. No. 99]

*Agreement between the United States of America and France providing for the suppression of customs frauds. Effected by exchange of notes; signed December 10 and 12, 1936; effective, December 15, 1936.*

*The French Minister for Foreign Affairs (Delbos) to the American Ambassador (Bullitt)*

MINISTÈRE  
DES  
AFFAIRES ÉTRANGÈRES

SOUS-DIRECTION  
DES AFFAIRES ADMINISTRATIVES  
ET DES UNIONS INTERNATIONALES

PARIS, le 10 décembre 1936.

MONSIEUR L'AMBASSADEUR,

Agreement with  
France providing for  
reciprocal suppression  
of customs frauds.

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement français est disposé, sous condition de réciprocité, à appliquer, à partir du 15 décembre 1936, les dispositions suivantes en vue de la répression des fraudes douanières par l'assistance mutuelle des Administrations douanières française et américaine:

"Article 1er.—L'Administration des Douanes des Etats-Unis d'Amérique et l'Administration française des Douanes se communiqueront mutuellement sans délai tous renseignements dont elles pourraient disposer à un moment quelconque au sujet des importations et exportations et qui seraient susceptibles de faciliter la répression de la contrebande ou de la fraude dans l'autre pays.

"Article 2.—En ce qui concerne les expéditions directes ou indirectes de marchandises entre les Etats-Unis d'Amérique ou leurs possessions et la France ou ses possessions, chacune des administrations intéressées enverra directement à l'autre, à la demande écrite de cette dernière, tous les renseignements qui pourraient être tirés des documents en sa possession (écritures, registres d'inscription, déclarations et autres documents douaniers). Ces documents ou des copies dûment authentifiées ou certifiées de ces documents pourront servir de preuve au cours des procédures ou des poursuites devant les tribunaux.

"Article 3.—Les fonctionnaires compétents des Gouvernements des Etats-Unis d'Amérique et de la France fourniront, respectivement, sur demande, aux fonctionnaires dûment autorisés de l'autre Gouvernement, des renseignements en ce qui concerne les congés des navires ou le transport des cargaisons quand l'importation ou l'exportation d'une partie quelconque du chargement transporté sera prohibée, limitée ou soumise au paiement de droits ou autres redevances, ou quand les fonctionnaires requérants soupçonneront les propriétaires ou les personnes en possession d'une partie quelconque du chargement d'avoir l'intention de violer les lois du Gouvernement requérant en ce qui concerne ce chargement.

"Article 4.—Il est entendu que les fonctionnaires de la douane et autres fonctionnaires administratifs du Gouvernement des Etats-Unis d'Amérique et de la France respectivement seront, sur la de-



mande des autorités compétentes de l'un des Gouvernements adressée aux autorités compétentes de l'autre Gouvernement, tenus de déposer en qualité de témoins et de produire tous registres et dossiers dont ils pourraient disposer, ou des copies dûment certifiées ou authentifiées de ces documents, qui pourraient être considérés comme essentiels au jugement d'affaires civiles ou criminelles devant les tribunaux de l'Etat au nom duquel la requête a été faite, pour autant que la production de ces documents soit compatible avec l'intérêt général de l'Etat auquel la requête a été adressée.

"Les frais de transcription de registres, de dépositions, certificats et commissions rogatoires dans les affaires civiles ou criminelles, et les frais de voyage aller et retour en première classe, de séjour et autres dépenses normales que pourrait comporter l'audition de ces témoins, seront payés par le Gouvernement qui requiert leur audition et ce au plus tard au moment où le tribunal décidera que leur présence n'est plus nécessaire dans ce procès. Les commissions rogatoires et les requêtes seront exécutées dans le plus bref délai possible et les copies de registres ou de documents officiels seront authentifiées ou certifiées d'urgence par les fonctionnaires compétents, conformément aux dispositions des lois des Etats respectifs".

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

Pr le Ministre des Affaires Etrangères  
et par délégation,  
L'Ambassadeur de France  
*Secrétaire Général*  
ALEXIS LEGER

Son Excellence

Monsieur WILLIAM CHRISTIAN BULLITT,  
*Ambassadeur des Etats-Unis d'Amérique*  
*à Paris.*

[Translation]

MINISTRY  
OF  
FOREIGN AFFAIRS

OFFICE OF  
ADMINISTRATIVE AFFAIRS  
AND INTERNATIONAL UNIONS

PARIS, December 10, 1936.

MR. AMBASSADOR:

I have the honor to advise Your Excellency that the French Government is disposed, on condition of reciprocity, to apply, on and after December 15, 1936, the following provisions, with a view to the suppression of customs frauds, through the mutual assistance of the French and American Customs Administrations.

"Article I. The Customs Administration of the United States of America and the French Customs Administration shall promptly communicate to each other all information at any time in their possession concerning imports and exports which might facilitate the suppression of smuggling or fraud in the other country.

"Article II. Concerning direct or indirect shipments of merchandise between the United States of America or its possessions and France or its possessions, each of the Administrations concerned shall send

directly to the other, upon the latter's written request, all information which may be gathered from documents in its possession (entries, registration records, declarations, and other customs documents). Such documents, or duly authenticated or certified copies thereof, may be used as evidence in proceedings or prosecutions in the courts.

"Article III. The appropriate officers of the Governments of the United States of America and France, respectively, shall furnish upon request to duly authorized officers of the other Government information concerning clearances of vessels or the transportation of cargoes, when the importation or exportation of any of the cargo carried is prohibited, restricted, or subject to the payment of duties or other exactions, or when the requesting officers suspect that the owners or persons in possession of any of the cargo intend to violate the laws of the requesting Government, in respect of such cargo.

"Article IV. It is agreed that the customs and other administrative officials of the Government of the United States of America and France, respectively, shall upon request of the competent authorities of one Government made of the competent authorities of the other Government, be directed to attend as witnesses and to produce such available records and files, or duly authenticated or certified copies thereof, as may be considered essential to the trial of civil or criminal cases in the courts of the country on whose behalf the request was made, and as may be produced compatibly with the public interest of the country of which the request was made.

"The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the Government requesting their attendance not later than at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be authenticated or certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries."

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For the Minister of Foreign Affairs  
and by authorization  
The Ambassador of France  
*Secretary General*  
ALEXIS LEGER

His Excellency

MR. WILLIAM CHRISTIAN BULLITT,  
*Ambassador of the United States of America,*  
*Paris.*

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*The American Ambassador (Bullitt) to the French Minister for Foreign Affairs (Delbos)*

No. 106      EMBASSY OF THE UNITED STATES OF AMERICA,  
*Paris, December 12, 1936.*

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of December 10, 1936, concerning cooperation between the

Customs Services of the United States of America and France for the suppression of frauds, and, in reply, to state that the American Government agrees to the following provisions, to become effective December 15, 1936, for this purpose:

*"Article I.* The Customs Administration of the United States of America and the French Customs Administration shall promptly communicate to each other all information at any time in their possession concerning imports and exports which might facilitate the suppression of smuggling or fraud in the other country.

*"Article II.* Concerning direct or indirect shipments of merchandise between the United States of America or its possessions and France or its possessions, each of the Administrations concerned shall send directly to the other, upon the latter's written request, all information which may be gathered from documents in its possession (entries, registration records, declarations, and other customs documents). Such documents, or duly authenticated or certified copies thereof, may be used as evidence in proceedings or prosecutions in the courts.

*"Article III.* The appropriate officers of the Governments of the United States of America and France, respectively, shall furnish upon request to duly authorized officers of the other Government information concerning clearances of vessels or the transportation of cargoes, when the importation or exportation of any of the cargo carried is prohibited, restricted, or subject to the payment of duties or other exactions, or when the requesting officers suspect that the owners or persons in possession of any of the cargo intend to violate the laws of the requesting Government in respect of such cargo.

*"Article IV.* It is agreed that the customs and other administrative officials of the Government of the United States of America and France, respectively, shall upon request of the competent authorities of one Government made of the competent authorities of the other Government, be directed to attend as witnesses and to produce such available records and files, or duly authenticated or certified copies thereof, as may be considered essential to the trial of civil or criminal cases in the courts of the country on whose behalf the request was made, and as may be produced compatibly with the public interest of the country of which the request was made.

*"The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the Government requesting their attendance not later than at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be authenticated or certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries."*

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

WILLIAM C. BULLITT

His Excellency

Monsieur YVON DELBOS,

*Minister of Foreign Affairs,  
Paris.*

October 29, 1936

December 21, 1936

*Parcel post agreement between the United States of America and the Bahamas. Signed at Nassau, October 29, 1936, at Washington, December 21, 1936; approved by the President, December 29, 1936.*

## AGREEMENT BETWEEN THE BAHAMAS AND THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST.

Parcel post agreement with the Bahamas.

The Undersigned, provided with full powers by their respective governments, have by mutual consent and subject to ratification by the competent superior authorities, drawn up the following Agreement:

### ARTICLE I

Object.

#### *Object of the Agreement.*

Territory embraced.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa and Hawaii) on one hand, and the Bahamas on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Post, p. 1482.

### ARTICLE II

Transit parcels.

#### *Transit Parcels.*

Rights guaranteed.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Notices.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Intermediate Administration requirements.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

### ARTICLE III

Postage and fees.

#### *Prepayment of Postage and Fees.*

Collection from sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts that may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

## ARTICLE IV

### *Preparation of Parcels.*

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Preparation of parcels.

Packing.  
Post, p. 1482.

## ARTICLE V

### *Prohibitions.*

1. The following articles are prohibited transmission by parcel post:

Prohibitions.

Articles specified.

Letters, etc.

(a) A letter or a communication having the nature of a letter. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender.

Enclosure with different address.

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

Live animals.

Narcotics.

Nonadmissible articles.

(c) Any live animal, except leeches.

(d) Opium, morphine, cocaine and other narcotics.

(e) Any article the admission of which is forbidden by the customs or other laws or regulations in force in either country.

Explosive, etc., articles.

(f) Any explosive or inflammable article, and in general any article the conveyance of which is dangerous, including articles which from their nature or packing may be a source of danger to postal employees, or may soil or damage other parcels.

(g) Obscene or immoral articles.

Obscene, etc., articles.

Designated uninsured articles.

(h) It is, moreover, forbidden to send coin, bank notes, currency notes, or any kind of securities payable to bearer, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles in uninsured parcels.

Prohibited articles erroneously handled.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

Parcel containing a letter.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not on that account assume any responsibility towards the customs or police authorities, or the sender.

List of Prohibited Articles.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Treatment of wrongly admitted parcels.

## ARTICLE VI

### *Insurance.*

Insurance.

Maximum amount.

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

## Limitation.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

## ARTICLE VII

*Responsibility. Indemnity.*

## Responsibility—Indemnity.

## Nonresponsibility for loss of ordinary parcel.

## Allowance to sender.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

2. Except in the cases mentioned in the Article following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of, or damage to, their contents, or a part thereof.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected, or the maximum amount of 500 gold francs.

## Indirect damages or loss of profits.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, misdelivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

## Return of postage on loss of parcel.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

## Parcels originating in a third country.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss, rifling or damage of transit insured parcels, that is, parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries or parcels originating in one of the two contracting countries and destined for a country not participating in this Agreement.

## Parcels reforwarded to a third country.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obliged to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

## Responsibility for error.

## Defects in packing, etc.

7. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

## ARTICLE VIII

### *Exceptions to the Principle of Responsibility.*

The Administrations are relieved from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation;

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure. The country responsible for the loss, abstraction or damage, must decide, in accordance with its internal legislation, whether this loss, abstraction or damage was due to circumstances constituting a case of "force majeure";

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

(e) For parcels which contain prohibited articles;

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

(g) For parcels seized by the Customs because of false declaration of contents;

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel;

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Exceptions to principle of responsibility.  
Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.  
Declared above real value.

Seized, because of false declaration.

Unclaimed within a year.

Matter of no intrinsic value, etc.

## ARTICLE IX

### *Termination of Responsibility.*

Administrations cease to be responsible for parcels of which they have effected delivery in accordance with their internal regulations for parcels of the same nature.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

Termination of responsibility; exception.

## ARTICLE X

### *Obligation to pay Compensation.*

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article VII, Section 2, second paragraph, the obligation shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

Obligation to pay compensation.

Country responsible.

*Ante*, p. 1474.

Claim for repayment.

## ARTICLE XI

*Period for Payment of Compensation.*

Period for payment.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

Deferred payments in exceptional cases.

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Payment where office delays nine months.

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

## ARTICLE XII

*Fixing of Responsibility.*

Responsible office.

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

Loss, etc., in transit.

3. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the offices involved bear the loss in equal shares.

Rights assumed by paying office.

4. The Administration paying compensation takes over, to the extent of the amount paid, the rights of the person who has received it, in any action which may be taken against the addressee, the sender or a third party.

If lost parcel is found.

5. If a parcel which has been regarded as lost is subsequently found the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.

## ARTICLE XIII

*Repayment of Compensation.*

Repayment to country paying.

1. The Administration responsible for the loss, rifling or damage and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected payment. This reimbursement must take place without delay, and at the latest within the period of nine months after notification of payment.

Without expense.

2. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in



the creditor country or in any other way to be agreed upon mutually by correspondence.

3. The reimbursement of the indemnities must be effected on the basis of gold money.

Reimbursement on gold basis.

#### ARTICLE XIV

##### *Fee for Customs Clearance.*

Customs clearance.

The office of delivery may collect from the addressee either in respect of delivery to the Customs and clearance through the Customs or in respect of delivery to the Customs only, a fee not exceeding 50 centimes gold per parcel.

Fee.

#### ARTICLE XV

##### *Delivery to the Addressee. Fee for Delivery at the Place of Address.*

Delivery.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 centimes gold per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

To addressee.

Fee.

#### ARTICLE XVI

##### *Warehousing Charges.*

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five francs gold.

Warehousing charges.

#### ARTICLE XVII

##### *Customs Charges.*

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations of the country of destination.

Customs charges; imposed by country of destination.

#### ARTICLE XVIII

##### *Customs Charges to be Cancelled.*

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in the Bahamas and in the United States of America.

Cancellation, if returned or redirected.

#### ARTICLE XIX

##### *Recall and Change of Address.*

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in the Bahamas shall be addressed to the Parcel Post Branch, Nassau, Bahamas.

Recall and change of address.

## ARTICLE XX

*Certificate of Mailing. Receipts.*

Certificate of mailing.

Furnished sender on request.

Receipt.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

## ARTICLE XXI

*Return Receipts and Inquiries.*

Return receipts and inquiries.

Advice of delivery, charge.

Inquiry charge.

Inquiry relative to irregularity.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charges, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also for an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which *prima facie* was not due to the fault of the Postal Service.

## ARTICLE XXII

*Missent Parcels.*

Missent parcels.

Ordinary parcels.

Insured parcels.

Refunding, if parcel returned.

Reforwarding to a third country.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with Customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

When the reforwarding involves return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

When the reforwarding involves dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

## ARTICLE XXIII

*Reforwarding.*

Redirection within country.

Charges.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges pro-

vided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new postage and fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VII, Section 6.

#### ARTICLE XXIV

##### *Non-delivery.*

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery; that is, the sender must mark the parcel and the customs declarations with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to\_\_\_\_\_".

No note other than those provided for above, or note of similar import, is permitted, except as provided in Article XXIII, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately, even en route, on the outward or return voyage, without previous notice and without judicial formality, for the benefit of the rightful party.

If, for any reason sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administra-

Reforwarding to one of signatory countries.

Parcels reforwarded or returned to another country.

*Ante*, p. 1474.

Non-delivery.

Returned to sender; new charges, etc.

Treatment, in case of non-delivery.

Restriction.

Undeliverable parcels, return to place of origin.

Parcels liable to deterioration.

Abandoned parcels.

tion of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

6. The provisions of Article XXV, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

## ARTICLE XXV

### *Charges.*

Charges.

Credits.

Post, p. 1482.

In case of reforwarding, etc.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

2. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

(a) the charges prescribed by Section 1 above;

(b) the charges for reforwarding or return.

Parcels to or from a third country.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a) and (b) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

## ARTICLE XXVI

### *Postal Charges other than those prescribed not to be collected.*

Charges other than prescribed.

Restriction on collection.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

## ARTICLE XXVII

### *Air Parcels.*

Air parcels.

Surtax.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by air routes.

## ARTICLE XXVIII

### *Temporary Suspension of Service.*

Temporary suspension of service.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel-post service, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

# ARTICLE XXIX

## *Matters not provided for in the present Agreement.*

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or change of address of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, in so far as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or the Bahamas, or the decisions made by one country or the other, are applicable in the respective country.

Matters not herein provided for.

Universal Postal Convention, etc., provisions to govern.  
49 Stat. 2741.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of collect-on-delivery parcels.

Details to be fixed by common consent.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Mutual notice of postal laws, etc.

# ARTICLE XXX

## *Duration of the Agreement.*

1. This Agreement substitutes and abrogates the Parcel Post Convention signed at Washington, December 20, 1887, and at Nassau, January 9, 1888.

Former Convention abrogated.  
25 Stat. 1407.

2. It shall become effective on ratification, but pending ratification, it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

Entry into force, etc.

3. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Duration.

Done in duplicate and signed at Washington, the 21<sup>st</sup> day of December 1936, and at Nassau, the 29<sup>th</sup> day of October 1936.

Signatures.

J. HERBERT PEET,

*The Colonial Postmaster, The Bahamas.*

JAMES A FARLEY,

*The Postmaster General of the United States of America.*

[SEAL]

The foregoing Agreement between the United States of America and the Bahamas for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

WASHINGTON, December 29, 1936.

## REGULATIONS OF EXECUTION FOR THE PARCEL POST AGREEMENT

Regulations for execution.

The following detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and the Bahamas.

### ARTICLE 1

#### *Limits of Weight and Size.*

Limits of weight and size.

1. The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds in weight nor the following dimensions:

Greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels up to 3½ feet in length do not exceed 6 feet in length and girth combined.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

2. In regard to the exact calculation of the weight and dimensions, the indications furnished by the dispatching office will be accepted save in the case of obvious error.

### ARTICLE 2

#### *Preparation of Parcels.*

Preparation of parcels.

1. The name and address of the sender and of the addressee must be written legibly and correctly on the parcel itself if possible or on a label or tag securely affixed to the parcel.

It is recommended<sup>1</sup> that a duplicate of the address be inserted in every parcel, especially when the use of a tag for the address is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated merely by initials are not admitted, unless the initials are the adopted trade name of the sender or addressee which is generally understood.

Addresses in ordinary pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Insured parcels must be closed and securely sealed with wax or otherwise. Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels mailed in its service.

<sup>1</sup> So in original.

The Customs Administration of the country of destination is authorized to open the parcels in order to inspect the contents. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed, except in the case of ordinary parcels which were not sealed by the senders in the first instance.

3. Each insured parcel must bear on the address side an insurance number and must bear a label with the word "Insured" or this word must be marked or stamped on the parcel.

4. For insured parcels, the amount of insured value must appear on the parcel in currency of the country of origin, in Roman letters written out in full and in Arabic figures. Also, the exact weight of each parcel in pounds and ounces must be entered by the Administration of origin (a) on the address side of the parcel and (b) on the customs declaration in the place reserved for this purpose.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither may they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, strong corrugated cardboard or strong carton of fibre-board, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

### ARTICLE 3

#### *Customs Declarations.*

1. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

Customs  
declarations.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, gross and net weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing, when more than one parcel is mailed simultaneously by the same sender in the United States of America to the same addressee at the same address in the Bahamas and vice versa, the sender need prepare only one customs declaration for the entire shipment, which customs declaration shall show, in addition to the particulars set forth in the preceding paragraph, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel and the denominator the number of parcels comprising the shipment; for example: If a single shipment were composed of 15 parcels each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

## ARTICLE 4

*Return Receipts.*

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Avis de Réception" or "Return receipt requested". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

## ARTICLE 5

*Receptacles.*

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten per cent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

## ARTICLE 6

*Method of Exchange of Parcels.*

Method of exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

## ARTICLE 7

*Billing of Parcels.*

Billing of parcels.

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.



2. The ordinary parcels included in each dispatch to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof. The ordinary parcels included in each dispatch to the Bahamas are to be entered on the parcel bills to show the total number of parcels.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin. In the case of insured parcels for the United States of America, the total net weight of the parcels must also be shown.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected" as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other, together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual consent through correspondence between the two Administrations.

## ARTICLE 8

### *Verification by the Exchange Office.*

1. Upon receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

Verification by exchange office.

If any error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must re-dispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at . . .", and the signature of the agents who have effected such repacking.

ARTICLE 9

*Payment.*

*Payment.*

1. For each parcel, ordinary or insured, sent to the Bahamas, payment shall be made at the rate of 1 gold franc per parcel.

2. For each parcel, ordinary or insured, sent to the United States of America or to its possessions, payment shall be made as follows, based on the bulk net weight of each dispatch:

0.32	gold francs per pound for parcels for the United States of America
0.16	" " " " " " " " Virgin Islands,
	Hawaii, Puerto Rico,
	Guam and Samoa
0.32	" " " " " " " " Alaska

3. In addition, there shall be paid the following transit charges for parcels, ordinary or insured, for the possessions of the United States of America, based on the bulk net weight of each dispatch:

0.32	gold francs per pound when only sea service is provided
0.52	" " " " " " " " land " " "
0.68	" " " " " " " " both land and sea services are provided.

4. The terminal quotas and transit charges above mentioned may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall remain in force for at least one year.

ARTICLE 10

*Accounting.*

*Accounting.*

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place at the latest at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

ARTICLE 11

*Miscellaneous Notifications.*

*Miscellaneous notifications.*

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement. Effective date and duration.

Done in duplicate and signed at Washington, the 21<sup>st</sup> day of December 1936, and at Nassau, the 29<sup>th</sup> day of October 1936. Signatures.

J. HERBERT PEET,  
*The Colonial Postmaster, The Bahamas.*

[SEAL]

JAMES A FARLEY  
*Postmaster General of the United States of America.*

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and the Bahamas have been negotiated and concluded with my advice and consent and are hereby approved and ratified. Approval by the President.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

.By the President:

R. WALTON MOORE

*Acting Secretary of State.*

WASHINGTON, *December 29, 1936.*

December 18, 1936  
January 5, 1937

*Parcel post agreement between the United States of America and Gibraltar with regulations of execution. Signed at Gibraltar, December 18, 1936, at Washington, January 5, 1937; approved by the President, January 13, 1937.*

## AGREEMENT

### BETWEEN

## THE POSTAL ADMINISTRATION OF GIBRALTAR AND THE POSTAL ADMINISTRATION OF THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST.

Parcel post agree-  
ment with Gibraltar.

The undersigned, for and on behalf of the Postal Administrations of the United States of America and Gibraltar (which are hereinafter severally referred to as "Postal Administration" or as "Administration") provided with full powers by their respective governments, have by mutual consent drawn up and agree to be bound by the following Agreement:

### ARTICLE I.

Object.

*Object of the Agreement.*

Territory embraced.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and Gibraltar on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

*Post*, p. 1498.

### ARTICLE II.

Transit parcels.

*Transit Parcels.*

Rights guaranteed.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Notices.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Intermediate Ad-  
ministration, require-  
ments.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

### ARTICLE III.

Postage and fees.

*Prepayment of Postage and Fees.*

Collection, from  
sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted,

and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

Prepayment.

#### ARTICLE IV.

##### *Preparation of Parcels.*

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Preparation of parcels.

Packing.

Post, p. 1498.

#### ARTICLE V.

##### *Prohibitions.*

1. The following articles are prohibited transmission by parcel post :

Prohibitions.

Articles specified.

(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage other parcels;

Dangerous articles.

(b) Opium, morphine, cocaine and other narcotics;

Narcotics.

(c) Any article the admission of which is forbidden by the Customs or other laws or regulations in force in either country;

Nonadmissible articles.

(d) A letter or any document which constitutes an actual and personal correspondence. Nevertheless, it is permitted to enclose in a parcel an open invoice confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender;

Letters, etc.

(e) Obscene or immoral articles;

Obscene, etc., articles.  
With different address.

(f) An enclosure which bears an address different from that placed on the cover of the parcel;

(g) Explosive, inflammable, or dangerous substances;

Explosives.

(h) Any live animal, except leeches;

Live animals.

(i) Coin, bank notes, currency notes or any kind of securities payable to bearer, platinum, gold or silver, whether manufactured or unmanufactured, precious stones, jewels or other precious articles in uninsured parcels.

Coin, etc.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

Action to be taken.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for collection of postage due from the addressee at the regular rate.

Parcel containing a letter.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

List of Prohibited Articles.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Parcels wrongly admitted.

## ARTICLE VI.

Insurance.

*Insurance.*

Maximum.

Parcels may be insured up to the amount of 500 francs gold or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Limitation.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

## ARTICLE VII.

*Responsibility. Indemnity.*

Responsibility.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

2. Except in the cases mentioned in the Article following the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage to their contents, or a part thereof.

Indemnity.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value), at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of 500 gold francs.

Indirect damages,  
etc.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, mis-delivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

Return of postage  
on loss of parcel.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

Transit originating  
in a third country  
destined for either  
contracting power.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss of transit insured parcels, that is, parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries, or parcels originating in one of the two contracting countries and destined for a country not participating in this Agreement.

Parcels reforwarded  
to a third country.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling, or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obliged to pay in accordance with the agree-

ment made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

7. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling, or damage caused by defects not noticed at the time of mailing.

Responsibility for defects in packing, etc.

### ARTICLE VIII.

#### *Exceptions to the Principle of Responsibility.*

Exceptions to principle of responsibility.

The Administrations are relieved from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation;

Unconditional acceptance.

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure. The country responsible for the loss, abstraction or damage must decide in accordance with its internal legislation, whether this loss, abstraction or damage is due to circumstances constituting a case of force majeure;

Loss, etc., through force majeure.

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

Destruction of official documents.

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

Damage through fault of sender, addressee, etc.

(e) For parcels which contain prohibited articles;

Prohibited articles.

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

Declared above real value.

(g) For parcels seized by the Customs because of false declaration of contents;

Seized, because of false declaration.

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

Unclaimed within a year.

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling, or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Matter of no intrinsic value, etc.

### ARTICLE IX.

#### *Termination of Responsibility.*

The Administrations cease to be responsible for parcels of which they have effected delivery in accordance with their internal regulations for parcels of the same nature.

Termination of responsibility.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

## ARTICLE X.

*Payment of Compensation.*

Payment of compensation.

*Ante*, p. 1490.

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article VII, Section 2, second paragraph, the obligation shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

## ARTICLE XI.

*Period for Payment of Compensation.*

Period for payment of compensation.

Deferred payment.

Payment when delayed nine months.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

## ARTICLE XII.

*Fixing of Responsibility.*

Fixing of responsibility.

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations, and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling, or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

3. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.

4. The Administration paying compensation takes over, to the extent of the amount paid, the rights of the person who has received it, in any action which may be taken against the addressee, the sender or a third party.

5. If a parcel which has been regarded as lost is subsequently found, the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.



### ARTICLE XIII.

#### *Repayment of Compensation.*

1. The Administration responsible for the loss, rifling, or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of nine months after notification of payment.

Repayment to country paying.

2. These repayments to the creditor country must be made without expense for that office, by money order or draft, in money valid in the creditor country or in any other way to be agreed upon mutually by correspondence.

3. The reimbursement of the indemnities must be effected on the basis of gold money.

### ARTICLE XIV.

#### *Fee for Customs Clearance.*

Customs clearance.

The office of delivery may collect from the addressee either in respect of delivery to the Customs and clearance through the Customs or in respect of delivery to the Customs only, a fee not exceeding 50 centimes gold per parcel.

Fee.

### ARTICLE XV.

#### *Delivery to the Addressee.*

Delivery to addressee.

#### *Fee for Delivery at the Place of Address.*

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 centimes gold per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

Fee.

### ARTICLE XVI.

#### *Warehousing Charges.*

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five francs gold.

Warehousing charges.

### ARTICLE XVII.

#### *Customs Charges.*

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations.

Customs charges.

### ARTICLE XVIII.

#### *Customs Charges to be Cancelled.*

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in Gibraltar and in the United States of America.

Cancellation, if returned or redirected.

## ARTICLE XIX.

*Recall and Change of Address.*

Recall and change  
of address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Gibraltar shall be addressed to the Colonial Postmaster, Gibraltar.

## ARTICLE XX.

*Certificate of Mailing. Receipts.*

Certificate of mail-  
ing.

Furnished sender,  
on request.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Insured parcels.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

## ARTICLE XXI.

*Return Receipts and Inquiries.*

Return receipts and  
inquiries.

Advice of delivery.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charges, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Request for infor-  
mation.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also for an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice<sup>1</sup> of delivery.

Irregularities.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which *prima facie* was not due to the fault of the Postal Service.

## ARTICLE XXII.

*Missent Parcels.*

Missent parcels.

Provisions concern-  
ing ordinary parcels.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

Insured parcels.

Refunding, if par-  
cel returned.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Reforwarding to a  
third country.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

<sup>1</sup> So in original.

# ARTICLE XXIII.

## *Reforwarding.*

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling, or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VII, Section 6.

Reforwarding.

Redirection.

Supplementary charges.

New fees.

Return or reforwarding to another country.

Indemnity in case of loss, etc.

*Ante*, p. 1490.

# ARTICLE XXIV.

## *Non-delivery.*

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery; that is, the sender must mark the parcel and the customs declarations with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to -----".

No note other than those provided for above, or note of similar import is permitted, except as provided in Article XXIII, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately even en route, on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

Non-delivery.

Charges, etc.

Treatment, in case of non-delivery.

Undeliverable parcels, return to place of origin.

Parcels liable to deterioration.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

Abandoned parcels.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

Provisions applicable.

6. The provisions of Article XXV, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

## ARTICLE XXV.

Charges.

### *Charges.*

Credits.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

Redispatching.

2. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispatching office, the parcel is treated as if it had originated in that country. Otherwise, the redispatching office recovers from the other office the quota due to it, namely, as the case may be:

*Ante*, p. 1493.

- (a) the charges prescribed by Section 1 above;
- (b) the delivery, customs clearance and storage charges provided for by Articles XIV, XV and XVI;
- (c) the charges for reforwarding or return.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b), and (c) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

## ARTICLE XXVI.

Charges other than those prescribed.

*Postal Charges other than those Prescribed not to be Collected.*

Restriction on collection.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

## ARTICLE XXVII.

Air parcels.

### *Air Parcels.*

Surtax, etc.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

# ARTICLE XXVIII.

## *Temporary Suspension of Service.*

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel-post service, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Temporary suspension of service.

# ARTICLE XXIX.

## *Matters not Provided for in the Present Agreement.*

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or change of address of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, in so far as they are applicable and are not contrary to the forgoing<sup>1</sup> provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of Gibraltar or the decisions made by one country or the other, are applicable in the respective country.

Matters not provided for.

Application of Universal Postal Convention, etc.

49 Stat. 2741.

Further provisions.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of collect-on-delivery parcels.

Details to be fixed by common consent.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Mutual notice of applicable provisions, etc.

# ARTICLE XXX.

## *Duration of the Agreement.*

1. This Agreement substitutes and abrogates the Parcel Post Agreement signed at Washington, January 8, 1915 and at Gibraltar, December 7, 1914.

Former agreement abrogated.  
38 Stat. 1877.

2. It shall become effective on January 1, 1937.

Effective date.

3. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Duration.

Done in duplicate and signed at Washington, the 5<sup>th</sup> day of January 1937, and at Gibraltar, the 18<sup>th</sup> day of December 1936.

Signatures.

[SEAL]

JAMES A FARLEY,

*The Postmaster General of the United States of America.*

A. McCORMICK,

*The Colonial Postmaster, Gibraltar.*

The foregoing Agreement between the United States of America and Gibraltar for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

WASHINGTON, January 13, 1937.

<sup>1</sup> So in original.

# DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT.

Regulations for execution.

The following Detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and of Gibraltar.

## ARTICLE 1.

### *Limits of Weight and Size.*

Limits of weight and size.

The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds (10 kilograms) in weight nor the following dimensions:

Greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels which are 3½ feet or less in length do not exceed 6 feet in length and girth (taken in a direction other than that of the length) combined.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

## ARTICLE 2.

### *Preparation of Parcels.*

Preparation of parcels.

1. The name and address of the sender and of the addressee must be written, legibly and correctly, on the parcel itself if possible, or on a label or tag affixed securely to the parcel.

It is recommended that a duplicate of the address be inserted in every parcel, especially when the use of a tag for the address is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated merely by initials are not admitted, unless the initials are the adopted trade name of the sender or addressee which is generally understood.

Addresses in pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing. Insured parcels must be sealed by means of wax, by lead or other seals.

As a protective measure, either Administration may require that special imprints or marks of the senders appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed.

3. Each insured parcel must bear on the address side an insurance number and must bear a label with the words "Insured" or "Valeur déclarée".

4. For insured parcels, the amount of insured value must appear on the parcel in the currency of the country of origin, in Roman characters written in full and in Arabic figures. Also, the exact weight of each parcel in pounds and ounces must be entered by the Administration of origin (a) on the address side of the parcel and (b) on the customs declaration in the place reserved for this purpose.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither may they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiberboard, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

### ARTICLE 3.

#### *Customs Declarations.*

1. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

Customs declarations.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, gross and net weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing, the use of only one customs declaration may be allowed for a single consignment of any number of uninsured parcels sent by the same sender to the same addressee at the same time. In this case the customs declaration shall show, in addition to the particulars set forth in the preceding paragraph, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel, and the denominator the number of parcels comprising the shipment; for example, if a single shipment were composed of 15 parcels, each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

## ARTICLE 4.

*Return Receipts.*

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Return receipt requested". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

## ARTICLE 5.

*Receptacles.*

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten percent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

## ARTICLE 6.

*Method of Exchange of Parcels.*

Method of exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the Offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

## ARTICLE 7.

*Billing of Parcels.*

Billing of parcels.

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand. The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the



sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to either country are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin, as well as the total net weight of the parcels.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

#### ARTICLE 8.

##### *Verification by the Exchange Offices.*

1. Upon receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

Verification by exchange offices.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent, returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispach such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at . . . . .", and the signature of the agents who have effected such repacking.

# ARTICLE 9.

## *Charges.*

Charges.

1. For each parcel, ordinary or insured, sent to Gibraltar payment shall be made at the rate of 3 cents per pound, based on the bulk net weight of each dispatch.

For each parcel, ordinary or insured, sent to the United States of America, payment shall be made at the rate of 6 cents per pound, based on the bulk net weight of each dispatch.

These terminal charges may be reduced or increased on 3 months previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

2. The amounts to be allowed in respect to parcels sent from one Administration to the other for onward transmission to a possession of either country, or to a third country, shall be fixed by the intermediary Administration.

3. Except as provided in this Article, each Administration shall keep the whole of the sums which it collects by virtue of the various Articles of this Agreement.

# ARTICLE 10.

## *Accounting.*

Accounting.

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, by copies of verification notes relating thereto, shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

# ARTICLE 11.

## *Miscellaneous Notifications.*

Miscellaneous notifications.

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Effective date and duration.

Done in duplicate and signed at Washington, the 5<sup>th</sup> day of January 1937, and at Gibraltar, the 18<sup>th</sup> day of December 1936.

Signatures.

[SEAL]

JAMES A FARLEY

*The Postmaster General of the United States of America.*

A McCORMICK,

*The Colonial Postmaster, Gibraltar.*

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Gibraltar have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

Approval by the President.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

WASHINGTON, January 13, 1937.

December 20, 1935  
[E. A. S. No. 100]

*Agreement, exchange of notes, and protocol between the United States of America and the Netherlands respecting reciprocal trade. Signed at Washington, December 20, 1935; proclaimed by the President of the United States, December 28, 1935; ratified by Her Majesty the Queen of the Netherlands, March 8, 1937; proclamation and ratification exchanged at Washington, April 8, 1937; supplementary proclamation by the President of the United States, April 10, 1937; articles I to XVI, inclusive, applied reciprocally on and after February 1, 1936; entire agreement effective May 8, 1937.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

Reciprocal trade  
agreement, etc., with  
the Netherlands.  
48 Stat. 943.  
19 U. S. C. § 1351.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory pro-  
visions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its

discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Kingdom of the Netherlands are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and Her Majesty the Queen of the Netherlands;

Promotion of foreign trade.

48 Stat. 943,  
19 U. S. C. § 1351.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on December 20, 1935, through my duly empowered Plenipotentiary, with Her Majesty the Queen of the Netherlands, through her duly empowered Plenipotentiary, which Agreement, including four Schedules annexed thereto, in the English and Netherlands languages, is in words and figures as follows:

Trade agreement entered into.

The President of the United States of America and Her Majesty the Queen of the Netherlands, being desirous of improving and extending the commercial relations between the two countries by granting mutual and reciprocal concessions and advantages for the development of trade, have resolved to conclude a Trade Agreement with that object and have appointed their respective Plenipotentiaries, as follows:

Purposes declared.

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America, and

Her Majesty the Queen of the Netherlands:

Mr. Arnold Theodoor Lamping, Director of Trade Agreements,

De President van de Vereenigde Staten van Amerika en Hare Majesteit de Koningin der Nederlanden, bezielde met den wensch de handelsbetrekkingen tusschen beide landen te verbeteren en uit te breiden door elkander wederkeerige concessies en voordeelen ter ontwikkeling van den handel te verleenen, hebben besloten een Handelsverdrag te dien einde te sluiten en hebben tot Hunne wederzijdsche Gevolmachtigden benoemd, te weten:

De President van de Vereenigde Staten van Amerika:

den Heer Cordell Hull, Secretaris van Staat van de Vereenigde Staten van Amerika,

Hare Majesteit de Koningin der Nederlanden:

den Heer Arnold Theodoor Lamping, Directeur van de Handelsaccorden,

Plenipotentiaries.

who, after communicating to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

#### ARTICLE I

The United States of America and the Kingdom of the Netherlands will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or the Kingdom of the Netherlands and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the terri-

die, na elkander over en weder mededeeling te hebben gedaan van hunne volmachten, welke in goeden en behoorlijken vorm werden bevonden, tot overeenstemming zijn gekomen met betrekking tot de volgende Artikelen:

#### ARTIKEL I

De Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden zullen elkander onvoorwaardelijk en onbeperkt toekennen de behandeling als meest-begunstigde natie in alles wat betrekking heeft op douanerechten en heffingen van welken aard ook, alsmede voor de wijze van heffing van rechten en verder in alle aangelegenheden betreffende de voorschriften, formaliteiten en heffingen, opgelegd in verband met de klaring van goederen door de douane, en voorts ten aanzien van alle wetten of voorschriften, betreffende den verkoop of het gebruik binnenslands van ingevoerde goederen.

Dienovereenkomstig zullen de producten van bodem of nijverheid, van oorsprong uit elk van beide landen, ten aanzien van de bovenbedoelde onderwerpen in geen geval onderworpen worden aan eenige andere of hoogere rechten, belastingen of heffingen, noch aan eenige andere of drukken voorschriften of formaliteiten, dan die, aan welke gelijksoortige producten, van oorsprong uit eenig derde land, zijn of in de toekomst mochten worden onderworpen.

Insgelijks zullen de producten van bodem of nijverheid, uitgevoerd uit het gebied van de Vereenigde Staten van Amerika of uit dat van het Koninkrijk der Nederlanden, met bestemming naar het gebied van het andere land, in geen geval, ten aanzien van dien uitvoer en ten opzichte van de bovenbedoelde aangelegenheden, worden onderworpen aan eenige andere of hoogere rechten, belastingen of heffingen, noch aan eenige andere of druk-

Most-favored-nation treatment.

tory of any third country are or may hereafter be subject. The provisions of this paragraph shall not apply to taxes or charges levied in the Netherlands for the purpose of equalizing in some cases the differences in prices existing in the Netherlands and in foreign countries.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Kingdom of the Netherlands in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Kingdom of the Netherlands or the United States of America, respectively.

It is understood that so long as and insofar as existing law of the United States of America may otherwise require, the provisions of this Article, insofar as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the provisions of this Article with respect to the above-mentioned products, the Kingdom of the Netherlands reserves the right to impose on such products originating in the United States of America, after September 1, 1936, duties or charges other or higher than those imposed on like products originating in

kender voorschriften of formaliteiten dan die, aan welke gelijksoortige producten, met bestemming naar het gebied van eenig derde land, zijn of in de toekomst mochten worden onderworpen. De bepalingen van deze alinea zullen niet van toepassing zijn op belastingen of heffingen, welke in enkele gevallen in Nederland worden geheven, met het doel de verschillen op te heffen tusschen prijzen in Nederland en die in vreemde landen.

Alle voordeelen, gunsten, voorrechten of vrijdommen, welke door de Vereenigde Staten van Amerika of door het Koninkrijk der Nederlanden ten aanzien van de bovengenoemde aangelegenheden zijn of in de toekomst mochten worden toegekend aan producten van bodem of nijverheid, van oorsprong uit eenig derde land of met bestemming naar het gebied van eenig derde land, zullen onmiddellijk en zonder compensatie worden toegekend aan de gelijksoortige producten van oorsprong uit of met bestemming naar het gebied respectievelijk van het Koninkrijk der Nederlanden en van dat van de Vereenigde Staten van Amerika.

Het is wel verstaan, dat, zoolang en voorzover de thans bestaande wetgeving van de Vereenigde Staten van Amerika zulks mocht vereischen, de bepalingen van dit Artikel, voor zoover zij overigens betrekking zouden hebben op rechten, belastingen of heffingen op steenkool, daaruit vervaardigde cokes, of steenkool- of cokesbriquettes, niet van toepassing zullen zijn bij den invoer van deze producten in de Vereenigde Staten van Amerika. Indien de wetgeving van de Vereenigde Staten van Amerika de volledige werking van de bepalingen van dit Artikel ten aanzien van bovengenoemde producten niet zal toelaten, behoudt het Koninkrijk der Nederlanden zich het recht voor om, na 1 September 1936, deze producten, wanneer zij van oorsprong

Coal, etc., imports.

third countries, or within fifteen days after the aforesaid date, to terminate this Agreement in its entirety on thirty days' written notice.

zijn uit de Vereenigde Staten van Amerika, te belasten met andere of hoogere rechten of heffingen dan die, welke geheven worden van gelijksoortige producten, van oorsprong uit derde landen, of wel, om, binnen vijftien dagen na bovengenoemden datum, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

## ARTICLE II

## ARTIKEL II

Enumerated im-  
ports into the Nether-  
lands.

*Post*, p. 1526.

No excess duties,  
etc.

Favorable treat-  
ment to be accorded  
in application of laws.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Sections A and B of Schedule I annexed to this Agreement, shall, on their importation into the Netherlands and the Netherlands Indies, respectively, be exempt from ordinary customs duties and monopoly fees in excess of those set forth in the respective Sections of the said Schedule. The said articles shall also be exempt from all duties, taxes, fees, charges or exactions, other than ordinary customs duties and monopoly fees, imposed on or in connection with importation, other than or in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Netherlands or the Netherlands Indies, in force on the day of the signature of this Agreement. It is understood that in the application of the aforesaid laws, articles the growth, produce or manufacture of the United States of America shall receive as favorable treatment as that accorded under like circumstances and conditions to like articles of any third country.

Articles of Ameri-  
can manufacture, etc.;  
application of sched-  
ules.

*Post*, p. 1552.

With respect to the articles the growth, produce or manufacture of the United States of America enumerated and described in Schedule III annexed to this Agreement, the provisions set forth in the said Schedule shall be applied.

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika, opgesomd en omschreven in de Afdeelingen A en B van de bij dit Verdrag gevoegde Lijst I, zullen, bij invoer respectievelijk in Nederland en Nederlandsch-Indië, zijn vrijgesteld van gewone douanerechten en monopolieheffingen, hooger dan die, welke in de betreffende Afdeelingen van de hiervoorgenoemde Lijst zijn vastgelegd. Genoemde producten zullen eveneens zijn vrijgesteld van alle rechten, belastingen, retributies, heffingen of invorderingen, andere dan gewone douanerechten en monopolieheffingen, gelegd op den invoer of daarmede verband houdende, andere of hoogere dan die, welke worden geheven op den dag van onderteekening van dit Verdrag, of, welke later, op grond van op den dag van onderteekening van dit Verdrag van kracht zijnde wetten van Nederland of Nederlandsch-Indië, zullen worden geheven. Het is wel verstaan, dat bij de toepassing van bovengenoemde wetten, de producten van bodem of nijverheid van de Vereenigde Staten van Amerika een even gunstige behandeling zullen genieten als die, welke onder gelijke omstandigheden en voorwaarden aan gelijksoortige producten van eenig derde land wordt verleend.

Met betrekking tot de producten van bodem en nijverheid van de Vereenigde Staten van Amerika, opgesomd en omschreven in de bij dit Verdrag gevoegde Lijst III, zullen de bepalingen vastgelegd in deze Lijst worden toegepast.



With respect to articles enumerated and described in Section B of Schedule I, the Government of the Netherlands Indies reserves the right to change the ad valorem rates of duty specified in the said Section to specific rates of duty: Provided, That no resulting rate of duty applicable to any such article originating in the United States of America shall be higher than the average specific rate equivalent to the ad valorem rate of duty during the latest practicable six months' period preceding the conversion.

It is understood that an increase in the statistical duties at present levied in the Netherlands shall not be considered contrary to the provisions of this Article provided such duties do not exceed eight florin cents per package on postal importations or two-tenths of one per centum ad valorem on other importations.

### ARTICLE III

Articles the growth, produce or manufacture of the Kingdom of the Netherlands enumerated and described in Schedule II annexed to this Agreement, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all duties, taxes, fees, charges or exactions, other than ordinary customs duties, imposed on or in connection with importation, other than or in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement. It is understood that in the application of the aforesaid laws, articles the growth, produce or manufacture of the Kingdom of the Netherlands shall receive as favorable treatment as that ac-

Met betrekking tot de producten, opgesomd en omschreven in Afdeling B van Lijst I, behoudt de Regeering van Nederlandsch-Indië zich het recht voor de waarderechten, vermeld in de hiervoor genoemde Afdeling, om te zetten in specifieke rechten, mits de opbrengst van het specifieke recht ten aanzien van zoodanig product, van oorsprong uit de Vereenigde Staten van Amerika, niet hooger is dan de gemiddelde opbrengst van het waarderecht, berekend over het tijdvak van zes maanden, zoo dicht mogelijk voorafgaand aan de omzetting van het recht.

Het is wel verstaan, dat eene verhooging van de thans in Nederland geheven wordende statistiek-rechten niet zal worden beschouwd als in strijd te zijn met de bepalingen van dit Artikel, mits dergelijke rechten niet hooger zullen zijn dan acht cent per pakket bij invoer per post of twee tiende percent ad valorem bij invoer op andere wijze.

### ARTIKEL III

De producten van bodem of nijverheid van het Koninkrijk der Nederlanden, opgesomd en omschreven in de, bij dit Verdrag gevoegde, Lijst II, zullen, bij invoer in de Vereenigde Staten van Amerika zijn vrijgesteld van gewone douanerechten, hooger dan die, welke in genoemde Lijst zijn vastgelegd. Genoemde artikelen zullen eveneens zijn vrijgesteld van alle rechten, belastingen, retributies, heffingen of invorderingen, andere dan gewone douanerechten, gelegd op den invoer of daarmede verband houdende, andere of hoogere dan die, welke geheven worden op den dag van onderteekening van dit Verdrag of welke later op grond van de op den dag van onderteekening van dit Verdrag van kracht zijnde wetten van de Vereenigde Staten van Amerika zullen worden geheven. Het is wel verstaan, dat bij de toepassing van bovengenoemde wetten, de producten

Rates as applied to Netherlands Indies imports.  
Post, p. 1538.

Statistical duties levied in the Netherlands.

Specified imports from the Netherlands.

Post, p. 1542.

No excess duties, etc.

corded under like circumstances and conditions to like articles of any third country.

van bodem of nijverheid van het Koninkrijk der Nederlanden een even gunstige behandeling zullen genieten als die, welke onder gelijke omstandigheden en voorwaarden aan gelijksoortige producten van eenig derde land wordt verleend.

#### ARTICLE IV

Importation charges.  
*Ante*, p. 1508.

The provisions of Articles II and III of this Agreement shall not prevent the United States of America or the Kingdom of the Netherlands from imposing on the importation of any article a charge constituting a compensation for or an equivalent of an internal tax imposed on a like domestic article or on a commodity from which the imported article has been processed or manufactured in whole or in part.

*Post*, pp. 1526, 1542.

Articles the growth, produce or manufacture of the United States of America or the Kingdom of the Netherlands, enumerated and described in Schedules I and II, respectively, which are or shall be subject on their importation into the other country to a duty, tax or any other exaction, imposed solely as the equivalent of or to compensate for an internal tax or any other exaction imposed on or with respect to the processing of domestic articles, shall continue to be subject to such duty, tax or other exaction on importation only to the extent that such duty, tax or exaction shall be not more than fairly equivalent or compensatory to the internal tax or other exaction imposed on or with respect to the processing of domestic articles.

#### ARTICLE V

No excess charges.

Articles the growth, produce or manufacture of the United States of America or the Kingdom of the

#### ARTIKEL IV

De bepalingen van de Artikelen II en III van dit Verdrag zullen de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden niet beletten op eenig product bij invoer eene heffing te leggen, voor zoover deze uitmaakt een compensatie voor of het equivalent van een binnenlandsche belasting, gelegd op een gelijksoortig binnenlandsch product of op een artikel, waaruit het ingevoerde product geheel of ten deele is vervaardigd of bereid.

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika of van het Koninkrijk der Nederlanden, respectievelijk opgesomd en omschreven in de Lijsten I en II, welke bij invoer in het andere land zijn of zullen worden onderworpen aan een recht, belasting of eenige andere invordering, uitsluitend geheven als equivalent van of als compensatie voor een binnenlandsche belasting of eenige andere invordering, geheven van of met betrekking tot de vervaardiging van binnenlandsche producten, zullen bij invoer slechts onderworpen blijven aan een dergelijk recht, belasting of andere invordering, voor zoover een dergelijk recht, belasting of invordering niet meer zal bedragen dan het redelijk equivalent van of een redelijke compensatie voor de binnenlandsche belasting of andere invordering, geheven van of met betrekking tot de vervaardiging van binnenlandsche producten.

#### ARTIKEL V

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika of van het

Netherlands, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

The provisions of this Article in regard to the granting of national treatment shall not prevent the Netherlands from maintaining the existing differential between imported and domestic articles in connection with the stamping tax for works in gold or silver or from applying the existing regulations in regard to the excise tax on the juices of fresh fruits other than grapes, whether or not fermented, and on molasses and other liquids containing sugar.

#### ARTICLE VI

1. Neither the United States of America nor the Kingdom of the Netherlands shall establish or maintain any import or export prohibition or restriction on any article originating in or destined for the territory of the other country, which is not applied to the like article originating in or destined for any third country. Any abolition of an import or export prohibition or restriction which may be granted even temporarily by either country in favor of an article originating in or destined for a third country shall be applied immediately and unconditionally to the like article originating in or destined for the territory of the other country.

2. With respect to the articles enumerated and described in Schedule IV annexed to this Agreement, which are now subject to quantitative restrictions in the Netherlands or the Nether-

Koninkrijk der Nederlanden zullen, na invoer in het andere land, vrijgesteld zijn van alle binnenlandsche belastingen, retributies, heffingen of invorderingen, andere of hoogere dan die, welke verschuldigd zijn van soortgelijke producten van nationalen of eenigen anderen vreemden oorsprong.

De bepalingen van dit Artikel ten aanzien van de toekenning van de nationale behandeling, zullen Nederland niet beletten het bestaande onderscheid in behandeling te handhaven tusschen ingevoerde en inheemsche producten voor wat betreft de waarborgbelasting voor gouden en zilveren werken, noch het toepassen van de bestaande bepalingen ten aanzien van den accijns op al dan niet gegiste sappen van verse vruchten, andere dan druiven, en op melasse en andere suikerhoudende vloeistoffen.

#### ARTIKEL VI

1. Noch de Vereenigde Staten van Amerika noch het Koninkrijk der Nederlanden zullen eenig in- of uitvoerverbod of -beperking op eenig product, van oorsprong uit of met bestemming naar het gebied van het andere land, instellen of handhaven, welke niet wordt toegepast op het gelijksoortig product, van oorsprong uit of met bestemming naar een derde land. Elke opheffing van een in- of uitvoerverbod of -beperking, welke, al ware het slechts tijdelijk, door een der beide landen ten gunste van een product, van oorsprong uit of met bestemming naar een derde land, mocht worden toegestaan, zal onmiddellijk en onvoorwaardelijk worden toegepast op het gelijksoortige product, van oorsprong uit of met bestemming naar het gebied van het andere land.

2. Met betrekking tot de producten, opgesomd en omschreven in de bij dit Verdrag gevoegde Lijst IV, welke thans in Nederland of in Nederlandsch-Indië aan quantitative beperkingen onder-

Freedom of trade.

Extension of advantages granted another country.

Provisions respecting quantitative restrictions.  
Post, p. 1554.

lands Indies, the quantities of such articles originating in the United States of America which shall be permitted to be imported annually into the respective territories, beginning February 1, 1936, shall not be less than those specified in the said Schedule.

*Post*, p. 1554.

3. With respect to articles not specified in Schedule IV, originating in the United States of America, which are now subject to quantitative restrictions in the Netherlands, the quantities permitted to be imported annually, beginning February 1, 1936, shall not be less than those established in the form of percentages of the importations in the basic periods by the published quota decrees in effect on the day of the signature of this Agreement.

Articles not now subject to quantitative restriction in the Netherlands; allotment, if established.

4. With respect to articles in which the United States of America has an interest and which are not now subject to quantitative restrictions in the Netherlands, it is agreed that if the Netherlands shall establish any form of quantitative restriction or control of the importation or sale of any such article, there will be allotted to the United States of America a share of the total quantity of any such article permitted to be imported or sold, during a specified period, equivalent to the proportion of the total importation of such article which the United States of America supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands from the Netherlands Indies, Surinam and Curaçao may be omitted from the

Trade of the Netherlands with possessions.

worpen zijn, zullen de hoeveelheden van die producten, van oorsprong uit de Vereenigde Staten van Amerika, waarvan de invoer jaarlijks zal worden toegestaan in de betreffende gebiedsdeelen, van 1 Februari 1936 af, niet minder zijn dan die, welke zijn vermeld in de hiervoor genoemde Lijst.

3. Met betrekking tot de producten, van oorsprong uit de Vereenigde Staten van Amerika, welke niet zijn vermeld in Lijst IV en welke thans in Nederland aan quantitative beperkingen onderworpen zijn, zullen de hoeveelheden, waarvan de invoer jaarlijks zal worden toegestaan, van 1 Februari 1936 af, niet minder zijn dan die, welke bij de gepubliceerde en op den dag van onderteekening van dit Verdrag in werking zijnde contingentteeringsbesluiten, in den vorm van percentages van den invoer in het basistijdvak zijn vastgesteld.

4. Met betrekking tot producten, waarbij de Vereenigde Staten van Amerika belang hebben en welke thans in Nederland niet onderworpen zijn aan quantitative beperkingen, is overeengekomen dat, indien Nederland een quantitative beperking of controle, van welken aard ook, zou instellen op den invoer of verkoop van een zoodanig product, aan de Vereenigde Staten van Amerika zal worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Veree-

aforesaid total quantity permitted to be imported or sold and from the aforesaid total importation in the basic period.

5. If the Netherlands imposes or shall hereafter impose on the importation or sale of a specified quantity of any article in which the United States of America has an interest a lower import duty or charge than the duty or charge imposed on importations in excess of such quantity, there will be allotted to the United States of America a share of the total quantity of any such article permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which the United States of America supplied in a basic period prior to the imposition of any quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands from the Netherlands Indies, Surinam and Curaçao may be omitted from the aforesaid total quantity permitted to be imported or sold at such lower duty or charge and from the aforesaid total importation in the basic period.

6. With respect to articles in which the United States of America has an interest, it is agreed that if a quota for the importation or sale of any such article, or a quota

nigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederland uit Nederlandsch-Indië, Suriname en Curaçao mag worden afgetrokken van de hiervoorgenoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, alsmede van den hiervoorgenoemden totalen invoer in het basistijdvak.

5. Indien Nederland instelt of later mocht instellen een recht of heffing, op den invoer of verkoop van een vastgestelde hoeveelheid van eenig product, waarbij de Vereenigde Staten van Amerika belang hebben, lager dan het recht of de heffing, gelegd op den invoer, welke een zoodanige hoeveelheid overtreft, zal aan de Vereenigde Staten van Amerika worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van eenige quantitatieve beperking op dit product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Vereenigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederland uit Nederlandsch-Indië, Suriname en Curaçao mag worden afgetrokken van de hiervoorgenoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoorgenoemden totalen invoer in het basistijdvak.

6. Met betrekking tot producten, waarbij de Vereenigde Staten van Amerika belang hebben, is overeengekomen dat, indien door Nederlandsch-Indië aan eenig

Benefits granted where lower rate imposed on excess importations.

Exceptions.

Quotas.

for the importation or sale of a specified quantity of any such article at a lower duty or charge than the duty or charge imposed on importations or sales in excess of such quantity, is or shall be allotted by the Netherlands Indies to any third country, other than the Netherlands, Surinam or Curaçao, there will be allotted to the United States of America a share of the total quantity of such article permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which it supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands Indies from the Netherlands, Surinam and Curaçao may be omitted from the aforesaid total quantity permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, and from the aforesaid total importation in the basic period.

Benefits extended  
by United States  
under quantitative  
restriction.

7. If the Government of the United States of America establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the Kingdom of the Netherlands has an interest, or imposes a lower duty or charge on the importation or sale of a specified quantity of any such

derde land, derhalve niet aan Nederland, Suriname of Curaçao, is of zal worden toegewezen een contingent voor den invoer of verkoop van een zoodanig product of een contingent voor den invoer of verkoop van een vastgestelde hoeveelheid van een zoodanig product tegen een recht of heffing, lager dan het recht of de heffing gelegd op den invoer of verkoop, welke een zoodanige hoeveelheid overschrijdt, aan de Vereenigde Staten van Amerika zal worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van eene zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Vereenigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederlandsch-Indië uit Nederland, Suriname en Curaçao mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

7. Indien de Regeering van de Vereenigde Staten van Amerika eene quantitative beperking of controle, van welken aard ook, instelt of handhaaft op den invoer of verkoop van eenig product, waarbij het Koninkrijk der Nederlanden belang heeft, of op den invoer of verkoop van een vastgestelde hoeveelheid van een zoo-

article than the duty or charge imposed on importations in excess of such quantity, the Government of the United States of America will allot to the Kingdom of the Netherlands a share of the total quantity of such article permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which the Kingdom of the Netherlands supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the Kingdom of the Netherlands under the provisions of this paragraph, importations into the United States of America from Cuba, the Philippine Islands, the Panama Canal Zone, and the territories and possessions of the United States of America may be omitted from the aforesaid total quantity permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, and from the aforesaid total importation in the basic period.

8. If, after February 1, 1937, the Government of the Netherlands should desire to reduce the quota established for any article under the second or the third paragraph of this Article, it shall give at least thirty days' advance notice to the Government of the United States of America, and shall give sympathetic consideration to any suggestion or request which the latter Government may make with respect to the proposed

danig product een recht of heffing zou leggen, lager dan het recht of de heffing, gelegd op den invoer, welke een zoodanige hoeveelheid overschrijdt, zal de Regeering van de Vereenigde Staten van Amerika het Koninkrijk der Nederlanden een aandeel toewijzen in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk het Koninkrijk der Nederlanden leverde in een basistijdvak, voor afgaande aan de instelling van eene zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan het Koninkrijk der Nederlanden krachtens de bepalingen van deze alinea, de invoer in de Vereenigde Staten van Amerika uit Cuba, de Philippijnen, de Panama kanaal Zone en de gebiedsdeelen en bezittingen van de Vereenigde Staten van Amerika mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

8. Indien de Nederlandsche Regeering, na 1 Februari 1937, het contingent voor eenig product, overeenkomstig de tweede of derde alinea van dit Artikel vastgesteld, zou wenschen te verminderen, zal Zij hiervan minstens dertig dagen tevoren aan de Regeering van de Vereenigde Staten van Amerika kennis geven en zal Zij in welwillende overweging nemen elk voorstel of verzoek, hetwelk laatstgenoemde Regeering ten aanzien

United States trade with Cuba, etc.

Notice to be given of any quota reduction by the Netherlands Government.

Right to terminate.

action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government of the United States of America shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on thirty days' written notice.

Allotment to United States not to be reduced unless global quota reduced in like proportion.

9. The quantity allotted to the United States of America for any article on which a quota is established under the second or the third paragraph of this Article shall not in any case be reduced unless the global quota for that article is also reduced in the same proportion. If the global quota for any such article shall at any time be increased, the quantity allotted to the United States of America shall, after February 1, 1937, be increased in the same proportion, unless it is mutually agreed to dispense with such allotment. The term "global quota" means the total quantity or value of an article permitted to be imported from all foreign countries.

"Global quota" defined.

Exhaustion of import quotas.

10. With respect to the import quotas, which are now in effect or which may hereafter be established by either the United States of America or the Kingdom of the Netherlands, each Government will take appropriate measures to facilitate as much as possible the exhaustion of such quotas. Any representations which either Government may make with a view to effectuating this purpose shall be given the most sympathetic consideration by the other Government.

van den voorgenomen maatregel mocht doen. Wanneer binnen dertig dagen na ontvangst van de hiervoorgenoemde kennisgeving geen overeenstemming terzake zal zijn bereikt, zal de Regeering van de Vereenigde Staten van Amerika de bevoegdheid hebben, binnen vijftien dagen na afloop van de hiervoorgenoemden termijn van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

9. De aan de Vereenigde Staten van Amerika toegewezen hoeveelheid voor eenig product, waarvoor overeenkomstig de tweede of derde alinea van dit Artikel een contingent is vastgesteld, zal in geen geval worden verminderd, tenzij het globale contingent voor dat product eveneens wordt vermindert en wel in de zelfde verhouding. Indien het globale contingent voor een zoodanig product te eeniger tijd mocht worden verhoogd, zal het aan de Vereenigde Staten van Amerika toegewezen contingent, na 1 Februari 1937, in dezelfde verhouding worden verhoogd, tenzij is overeengekomen van een dergelijke toewijzing af te zien. De uitdrukking "globaal contingent" beteekent de totale hoeveelheid of waarde van een product, waarvan de invoer uit alle vreemde landen is toegestaan.

10. Met betrekking tot de invoercontingenten, welke thans in werking zijn of, welke hetzij door de Vereenigde Staten van Amerika, hetzij door het Koninkrijk der Nederlanden later mochten worden ingesteld, zal de betreffende Regeering de passende maatregelen nemen om de uitputting van de contingenten zooveel mogelijk te vergemakkelijken. De eventuele vertoogen, welke een van beide Regeeringen mocht indienen, strekkende tot het verwezenlijken van gemeld doel, zullen door de Regeering van het andere land in de meest welwillende overweging worden genomen.



11. Sympathetic consideration will be given by either Government to any request which the other Government may make for a readjustment of the quota allotment for any article or to any request or representation with respect to any other matter relating to quotas or other quantitative restrictions.

#### ARTICLE VII

With respect to the articles enumerated and described in Schedules I and II, no prohibitions, import quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Kingdom of the Netherlands and the United States of America, respectively.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles, nor shall it apply to such necessary measures as may be adopted in extraordinary and abnormal circumstances to protect the vital economic or financial interests of the country. Whenever either Government establishes or changes any restriction authorized by this paragraph, it shall notify the other Government and shall afford such other Government an opportunity to consult with it in respect of such action; and if, objection being made to such action, an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, such other Government shall be free

11. Elk van beide Regeeringen zal in welwillende overweging nemen elk verzoek, dat de andere Regeering mocht doen tot herziening van het voor eenig product toegewezen contingent, of elk verzoek of verhoog betrefende eenige andere aangelegenheid, verband houdende met contingenten of met andere quantitatieve beperkingen.

#### ARTIKEL VII

Met betrekking tot de producten, opgesomd en omschreven in de Lijsten I en II, zullen door, respectievelijk, het Koninkrijk der Nederlanden en de Vereenigde Staten van Amerika geen verboden worden ingesteld noch invoercontingenten, invoervergunningen of eenige andere regelingen inzake quantitatieve beperking, al dan niet verband houdende met de werking van eenig orgaan, waarbij de controle is gecentraliseerd.

De hiervoor gaande bepaling zal niet van toepassing zijn op quantitatieve beperkingen, van welken aard ook, door een van beide landen gelegd op den invoer of verkoop van eenig product van bodem of nijverheid van het andere land, in verband met van Regeeringswege genomen maatregelen met het doel de productie, de marktvoorziening of de prijzen van gelijksoortige inheemsche producten te regelen of te beheerschen, noch zal zij van toepassing zijn op zoodanige noodzakelijke maatregelen, die in buitengewone en abnormale omstandigheden mochten worden genomen, te neinde de vitale economische of financieele belangen van het land te beschermen. Telkens wanneer een van beide Regeeringen eenige beperking, welke bij deze alinea is toegelaten, instelt of wijzigt, zal Zij de andere Regeering daarmede in kennis stellen en deze Regeering gelegenheid geven om met Haar ter zake overleg te plegen. Indien door de andere Regeering bezwaar is gemaakt tegen een

Readjustments.

No quantitative regulation.  
Post, pp. 1526, 1542.

Exception.

Notice of proposed restriction, etc.

within fifteen days after the expiration of the aforesaid period of thirty days to terminate this Agreement in its entirety on thirty days' written notice.

Quantitative restrictions in the form of quotas.

*Post*, p. 1526.

*Post*, p. 1554.

The first paragraph of this Article shall not prevent the application of the quantitative restrictions in the form of quotas provided for in Schedule I nor the application of the quantitative restrictions in the form of quotas which are specified in Schedule IV for the articles enumerated and described therein.

Treatment of Government monopolies.

In the event that the United States of America or the Kingdom of the Netherlands establishes or maintains a monopoly for the importation, production or sale of an article or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell an article, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, shall, in respect of the foreign purchases of such monopoly or agency, accord the commerce of the other country fair and equitable treatment. In making its foreign purchases of any article such monopoly or agency shall, within the quantitative limitations permitted by other provisions of this Agreement, be influenced solely by competitive considerations, such as price, quality, marketability, and terms of sale.

Modification where rate of exchange prejudicial.

In the event that a wide variation occurs in the rate of exchange between the currencies of the

zoodanigen maatregel en binnen dertig dagen na ontvangst van de betreffende kennisgeving geen overeenstemming terzake is bereikt, zal de andere Regeering de bevoegdheid hebben binnen vijftien dagen na afloop van het hiervoor genoemde tijdvak van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

De eerste alinea van dit Artikel zal niet de toepassing verhinderen van de quantitative beperkingen, door middel van contingenten, voorzien in Lijst I, en evenmin de toepassing van de quantitative beperkingen, door middel van contingenten, vermeld in Lijst IV, voor de producten, daarin opgesomd en omschreven.

## ARTICLE VIII

## ARTIKEL VIII

Ingeval de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden een monopolie voor den invoer, de productie of den verkoop van een product instellen of handhaven, of, formeel of feitelijk, uitsluitende voorrechten toekennen aan een of meer organen voor den invoer, de productie of den verkoop van een product, zal de Regeering van het land, dat een zoodanig monopolie invoert of handhaaft, of zoodanige monopolie-voorrechten verleent, ten opzichte van de buitenlandsche aankopen door een zoodanig monopolie of orgaan aan den handel van het andere land een behoorlijke en billijke behandeling toekennen. Bij het doen van aankopen in het buitenland van eenig product, zal een zoodanig monopolie of orgaan, binnen de quantitative grenzen toegestaan bij andere bepalingen van dit Verdrag, zich slechts laten leiden door factoren van concurrentie, zooals prijs, kwaliteit, afzetmogelijkheid en verkoopsvoorwaarden.

## ARTICLE IX

## ARTIKEL IX

Ingeval een aanzienlijke afwijking ontstaat in de koersverhouding tusschen de ruilmiddelen

United States of America and the Kingdom of the Netherlands, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.

van de Vereenigde Staten van Amerika en die van het Koninkrijk der Nederlanden, zal het de Regeering van elk van beide landen, indien Zij de afwijking zoo belangrijk acht, dat daardoor de nijverheid of de handel van het land zal worden geschaad, vrijstaan, onderhandelingen voor te stellen tot wijziging van dit Verdrag. Indien terzake geen overeenstemming is bereikt binnen dertig dagen, volgende op de ontvangst van een zoodanig voorstel, zal de Regeering, die een zoodanig voorstel doet, de bevoegdheid hebben dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

#### ARTICLE X

Each Government will accord sympathetic consideration to such representations as the other Government may make regarding the operation of customs regulations, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal or plant health or life.

If either Government makes representations to the other Government in respect of the application of any sanitary law or regulation for the protection of human, animal or plant health or life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established as soon as possible to consider the matter and to submit recommendations to the two Governments.

Whenever practicable each Government, before applying any new measure of a sanitary character, will consult with the Government of the other country with a view to insuring that there will be as little injury to the commerce of the latter country as may be con-

#### ARTIKEL X

Elk van beide Regeeringen zal in welwillende overweging nemen de vertoogen, welke de andere Regeering tot Haar mocht richten, inzake de werking van douanevoorschriften, de inachtneming van douaneformaliteiten en de toepassing van sanitaire wetten en voorschriften voor de bescherming van de gezondheid of het leven van mensch, dier of plant.

Ingeval een van beide Regeeringen vertoogen richt tot de andere met betrekking tot de toepassing van eenige sanitaire wet of eenig sanitairvoorschrift voor de bescherming van de gezondheid of het leven van mensch, dier of plant, en indien ten opzichte daarvan geen overeenstemming wordt bereikt, zal op verzoek van een van beide Regeeringen zoo spoedig mogelijk eene commissie van deskundigen, in welke beide Regeeringen vertegenwoordigd zullen zijn, worden ingesteld, ten einde de aangelegenheid onder de oogen te zien en terzake advies uit te brengen aan beide Regeeringen.

Voor zoover doenlijk, zal elk van beide Regeeringen, alvorens tot de toepassing van eenigen nieuwen maatregel van sanitairen aard over te gaan, de Regeering van het andere land raadplegen, teneinde er voor te zorgen, dat het nadeel, dat aan den handel van laatstbe-

Mutual consideration with respect to customs, etc.

Sanitary regulations.

Consultation before applying new measures.

sistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments undersanitary measures already in effect or to actions based on pure food and drug laws.

## ARTICLE XI

Advantages accorded neighboring states, etc.

The provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Kingdom of the Netherlands to the commerce of the other country do not apply to advantages now accorded or which may hereafter be accorded to neighboring states in order to facilitate frontier traffic, or to advantages resulting from a customs union to which either country may become a party so long as such advantages are not extended to any other country.

Gold or silver trade restriction.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

Provisions not to extend to specified restrictions.

Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either country against the other country in favor of any third country, and without prejudice to Article X, the provisions of this Agreement shall not extend to prohibitions or restric-

doeld land zou kunnen worden toegebracht, zoo gering zij als in overeenstemming is te brengen met het doel van den voorgenomen maatregel. De bepalingen van deze alinea zijn niet van toepassing op maatregelen, genomen ten aanzien van afzonderlijke zendingen, krachtens reeds in werking zijnde sanitaire voorschriften, of op maatregelen gebaseerd op wetten, betreffende de zuiverheid en hoedanigheid van voedings- en geneesmiddelen en dranken.

## ARTIKEL XI

De bepalingen van dit Verdrag, betrekking hebbende op de handeling, toe te kennen door de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden aan den handel van het andere land, zijn niet van toepassing op voordeelen, welke thans zijn of later mochten worden verleend aan nabuurstaten, teneinde den grenshandel te vergemakkelijken, noch op voordeelen, voortvloeiende uit een kolonie, bij welke een van beide landen zich mocht aansluiten, zoolang dergelijke voordeelen niet worden uitgestrekt tot eenig ander land.

Dit Verdrag verhindert uit geen hoofde het nemen van maatregelen tot verbod of beperking van den uitvoer of van den invoer van goud of zilver, noch het nemen van zulke maatregelen, welke elk van beide Regeeringen noodzakelijk mocht achten ter regeling van den uitvoer of verkoop voor uitvoer van wapens, munitie of oorlogsbenodigdheden en, in buitengewone gevallen, van alle andere militaire benodigdheden.

Behoudens het vereischte dat, onder gelijke omstandigheden en voorwaarden, door geen van beide landen een willekeurig onderscheid zal worden gemaakt in de behandeling van het andere land ten gunste van een derde land en onverminderd het bepaalde in Artikel X, zullen de bepalingen

tions (1) relating to public security; (2) imposed on moral or humanitarian grounds; (3) designed to protect human, animal or plant health or life; (4) relating to prison-made goods; or (5) relating to the enforcement of police or revenue laws.

Nothing in this Agreement shall prevent either Government from assessing duties or taxes on certain imported articles on the basis of arbitrary quantities in lieu of actual measurement, as required by laws in force on the day of the signature of this Agreement.

## ARTICLE XII

In the event that either Government adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the other Government to have the effect of nullifying or materially and considerably impairing any object of the Agreement, the Government which has adopted any such measure shall consider such written representations or proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter. If no agreement is reached with respect to such representations or proposals within thirty days after they are received, the Government making them shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on sixty days' written notice.

van dit Verdrag zich niet uitstrekken tot verboden of beperkingen: (1) betrekking hebbende op de publieke veiligheid, (2) ingesteld uit moreele of humanitaire overwegingen, (3) beoogende de bescherming van het leven of de gezondheid van mensch, dier of plant, (4) betrekking hebbende op goederen, in gevangenissen gemaakt, of (5) met betrekking tot de ten uitvoerlegging van politiewetten of wetten op de staatsinkomsten.

Dit Verdrag belet geen van beide Regeeringen in eenig opzicht op grond van de op den dag van onderteekening van dit Verdrag van kracht zijnde wetten, rechten of belastingen te heffen van bepaalde ingevoerde producten op basis van een aangenomen norm, instelle van feitelijke opnemingen.

Duties based on arbitrary quantities in lieu of actual measurement.

## ARTIKEL XII

Ingeval een van beide Regeeringen eenigen maatregel treft, welke, zonder met de bewoordingen van dit Verdrag in strijd te zijn, toch, naar de opvatting van de andere Regeering, het gevolg heeft, dat daardoor de waarde van eenige in het Verdrag getroffen voorziening, hetzij te niet wordt gedaan, hetzij wezenlijk en in belangrijke mate wordt verminderd, zal de Regeering, welke een dergelijken maatregel heeft getroffen, in overweging nemen alle schriftelijke vertoogen of voorstellen, welke de andere Regeering mocht indienen om tot eene wederzijds bevredigende regeling terzake te geraken. Indien geen overeenkomst is bereikt met betrekking tot zoodanige vertoogen of voorstellen binnen dertig dagen nadat zij zijn ontvangen, zal de Regeering, welke deze heeft ingediend, de bevoegdheid hebben binnen vijftien dagen na afloop van het hiervoor genoemde tijdvak van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van zestig dagen.

Adjustment of measures impairing objects of agreement.

Right to terminate.

## ARTICLE XIII

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and the Kingdom of the Netherlands, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Commerce between possessions.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Kingdom of the Netherlands, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Canal Zone excepted.

Advantages accorded by U. S., its territories, etc., to one another or Cuba.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

Advantages accorded to Philippine Islands.

Netherlands and its overseas territories.

This Agreement shall not apply to the advantages which the Netherlands and its overseas territories have granted or hereafter may grant to one another nor to the advantages which these over-

## ARTIKEL XIII

Voor zoover in de tweede alinea van dit Artikel niet in anderen zin is bepaald, zullen de bepalingen van dit Verdrag betreffende de behandeling, welke door respectievelijk de Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden aan den handel van het andere land zal worden toegekend, niet van toepassing zijn op de Philippijnen, de Maagdeneilanden, Amerikaansch Samoa, het eiland Guam of op de Panama kanaal Zone.

De bepalingen van dit Verdrag, betreffende de behandeling als meestbegunstigde natie, zullen van toepassing zijn op producten van bodem en nijverheid van elk gebied, staande onder de souveriniteit of het gezag van de Vereenigde Staten van Amerika of van het Koninkrijk der Nederlanden, welke worden ingevoerd van of uitgevoerd naar elk gebied, staande onder de souveriniteit of het gezag van het andere land. Het is echter wel verstaan, dat de bepalingen van deze alinea niet van toepassing zijn op de Panama kanaal Zone.

De voordeelen, welke thans zijn of later mochten worden verleend door de Vereenigde Staten van Amerika, Hunne gewesten of bezittingen of de Panama kanaal Zone aan elkander, of aan de Republiek Cuba, zullen van de werking van dit Verdrag uitgesloten zijn. De bepalingen van deze alinea zullen van toepassing blijven ten aanzien van alle voordeelen, thans of in de toekomst door de Vereenigde Staten van Amerika, Hunne gewesten of bezittingen of de Panama kanaal Zone aan de Philippijnen toegekend of toe te kennen, ongeacht elke wijziging in den politieken status van de Philippijnen.

Dit Verdrag zal niet van toepassing zijn op de voordeelen, welke Nederland en zijn overzeesche gewesten aan elkander hebben verleend of in de toekomst mochten verleen, noch op de

seas territories have granted or hereafter may grant to one another.

voordeelen welke die overzeesche gewesten elkander hebben verleend of in de toekomst mochten verleen.

#### ARTICLE XIV

Each Government reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: Provided, That before either Government shall avail itself of the foregoing reservations, it shall give notice in writing to the other Government of its intention to do so, and shall allow a period of not less than thirty days before such action is taken for reaching an agreement with respect thereto or with respect to such compensatory modifications of the terms of the present Agreement as may be appropriate. If at the end of the aforesaid period of thirty days a satisfactory agreement has not been reached, the Government which proposed to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action has been taken to terminate this Agreement in its entirety on thirty days' written notice.

#### ARTICLE XV

The Kingdom of the Netherlands embraces the Netherlands, the Netherlands Indies, Surinam,

#### ARTIKEL XIV

Elk van beide Regeeringen behoudt zich het recht voor de voor eenig product, krachtens dit Verdrag, verleende concessie in te trekken of te wijzigen, of voor eenig zoodanig product quantitative beperkingen in te stellen, indien, als een gevolg van de uitstrekkung van een zoodanige concessie tot derde landen, laatstgenoemde landen het grootste voordeel van eene dergelijke concessie zouden genieten en diengevolge een buiten verhouding groote toeneming van den invoer van een zoodanig product zou plaats vinden, met dien verstande, dat, alvorens een van beide Regeeringen van het hier voorgenoemde voorbehoud gebruik maakt, Zij de andere Regeering schriftelijk in kennis zal stellen van Haar voornemen zulks te doen en dat Zij, alvorens tot een dergelijken maatregel over te gaan, een termijn van niet minder dan dertig dagen zal toestaan teneinde tot overeenstemming te geraken, hetzij over bedoelden maatregel, hetzij over eventueel in de bepalingen van dit Verdrag aan te brengen passende compenseerende wijzigingen. Indien aan het einde van het hiervoor genoemde tijdvak van dertig dagen geen bevredigende overeenkomst is bereikt, zal het der Regeering, welke voorstelde bedoelden maatregel te treffen, vrij staan op elk tijdstip daarna daartoe over te gaan en zal de andere Regeering de bevoegdheid hebben binnen vijftien dagen nadat zulk een maatregel is getroffen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

#### ARTIKEL XV

Het Koninkrijk der Nederlanden omvat Nederland, Nederlandsch-Indië, Suriname en Cu-

Right to withdraw concessions reserved.

Previous notice in writing to be given.

Termination of Agreement.

Terms defined.

and Curaçao; wherever the term "Netherlands" is used in this Agreement it refers only to the territory in Europe.

Wherever the term "United States of America" is used in this Agreement, it is understood to embrace the territories of Hawaii and Alaska, and Puerto Rico, as well as continental United States.

#### ARTICLE XVI

Schedules and notes deemed integral parts of Agreement.  
*Post*, p. 1526.

Schedules I, II, III and IV, and the notes included in them, shall have force and effect as integral parts of this Agreement.

#### ARTICLE XVII

Agreement to be proclaimed.

The present Agreement shall be proclaimed by the President of the United States of America and shall be ratified by Her Majesty the Queen of the Netherlands.

Provisional application of designated articles.

Pending ratification of this Agreement by Her Majesty the Queen of the Netherlands, the provisions of Articles I to XVI, inclusive, shall be applied reciprocally, by the United States of America and the Kingdom of the Netherlands on February 1, 1936, and thereafter until the day on which the entire Agreement shall come into force.

Effective date and duration.

The entire Agreement shall come into force one month after the day on which the Netherlands Government has communicated the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and the Government of the United States of America has communicated the proclamation of the President of the United States of America to the Netherlands Government. The Agreement shall continue in force until January 1, 1939, subject to the provisions of Article I, Article VI, Article VII, Article IX, Article XII, and Article XIV.

raçao; overal waar in dit Verdrag de benaming "Nederland" is gebruikt, heeft deze alleen betrekking op het gebied in Europa.

Het is wel verstaan dat overal, waar in dit Verdrag de benaming "Vereenigde Staten van Amerika" is gebruikt, deze, behalve de continentale Vereenigde Staten, de gewesten Hawaii en Alaska en Puerto Rico omvat.

#### ARTIKEL XVI

De Lijsten I, II, III en IV, alsmede de daarin opgenomen aantekeningen, zullen van kracht zijn en daaraan zal worden gevolg gegeven als integreerende onderdeelen van dit Verdrag.

#### ARTIKEL XVII

Dit Verdrag zal worden afgekondigd door den President van de Vereenigde Staten van Amerika en geratificeerd door Hare Majesteit de Koningin der Nederlanden.

In afwachting van de ratificatie van dit Verdrag door Hare Majesteit de Koningin der Nederlanden, zullen de bepalingen van de Artikelen I tot en met XVI door de Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden van 1 Februari 1936 af wederkeerig worden toegepast tot op den dag, waarop het geheele Verdrag van kracht zal worden.

Het geheele Verdrag zal van kracht worden een maand na den dag, waarop eenerzijds de Nederlandsche Regeering aan de Regeering van de Vereenigde Staten van Amerika zal hebben kennis gegeven van de ratificatie door Hare Majesteit de Koningin der Nederlanden, anderzijds de Regeering van de Vereenigde Staten van Amerika aan de Nederlandsche Regeering zal hebben kennis gegeven van de afkondiging door den President van de Vereenigde Staten van Amerika. Het Verdrag zal van kracht blijven tot 1 Januari 1939, onverminderd de bepalingen van Artikel I, Artikel VI, Artikel VII, Artikel IX, Artikel XII en Artikel XIV.



Unless at least six months before January 1, 1939, either Government shall have given to the other Government notice of intention to terminate the Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article I, Article VI, Article VII, Article IX, Article XII, and Article XIV, until six months from the day on which either Government shall have given such notice to the other Government.

Tenzij een van beide Regeeringen ten minste zes maanden voor 1 Januari 1939 aan de andere zal hebben kennis gegeven van Haar voornemen het Verdrag op dien datum te beeindigen, zal het Verdrag daarna, onverminderd de bepalingen van Artikel I, Artikel VI, Artikel VII, Artikel IX, Artikel XII en Artikel XIV, van kracht blijven tot zes maanden na den dag, waarop een van beide Regeeringen de andere met dat voornemen in kennis zal hebben gesteld.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Ter oorkonde waarvan de wederzijdsche Gevolmachtigden dit Verdrag hebben onderteekend en hunne zegels daaraan hebben gehecht.

Signatures.

Done in duplicate, in the English and Netherlands languages, both authentic, at the City of Washington this twentieth day of December, nineteen hundred and thirty-five.

Opgemaakt in tweevoud in de Engelsche en in de Nederlandsche taal, beide van gelijke rechtskracht, te Washington, den twintigsten December negentien honderd vijf en dertig.

For the President of the United States of America:

CORDELL HULL [SEAL]

For Her Majesty the Queen of the Netherlands:

LAMPING [SEAL]

## Schedule I.

## SCHEDULE I

NOTE 1: In determining the articles to which the treatment specified in this Schedule shall apply, the descriptions in the column headed "Articles" shall be controlling.

NOTE 2: The term "in packages" where used in this Schedule refers to articles in containers of 1200 grams net or less. The term "in bulk" means articles not in containers of 1200 grams net or less, and not in tablets or other special forms, except crystals, of 200 grams net or less.

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Ex 6		Copy presses, letter presses and similar office equipment:			
		1) If weighing 150 kilos or less	Ad val.	10%	-----
		2) If weighing over 150 kilos	Ad val.	6%	-----
Ex 8		Automobile tires: casings	Ad val.	12%	-----
Ex 8		Automobile tires: inner tubes	Ad val.	12%	-----
Ex 59 B. B. 2a		Lumber, American fir and pine, when merely squared	-----	Free	-----
62 I and II		Refrigerators and refrigerating apparatus assembled or not, and parts thereof:			
		1) If volume exceeds 2 cu. meters (outside measurement) for refrigerators or if weight exceeds 15 kilos for refrigerating units	Ad val.	6%	-----
		2) All other types	Ad val.	12%	-----
Ex 95 B. B. a, b and d		Copper, in pigs, bars and ingots	-----	Free	-----
Ex 104 II and B. B. 2b		Turpentine, vegetable	-----	Free	-----
Ex 104		Pure lard and steam lard:			
		a) When used as a basic material for fabrication of margarine	-----	Free	-----
		b) When used as a basic material for technical production	-----	Free	-----
		c) When used for reexport, fabricated or not	-----	Free	-----

## LIJST I

Aanteekening 1. Bij het bepalen van de artikelen, waarop de in deze lijst vastgestelde behandeling betrekking heeft, zal de omschrijving in de kolom met bovenschrift "Artikelen" beslissend zijn.

Aanteekening 2. Waar in deze lijst de aanduiding "verpakt" wordt gebruikt, heeft deze betrekking op artikelen in verpakkingen van 1200 gram netto of minder; de aanduiding "in bulk" heeft betrekking op artikelen niet in verpakkingen van 1200 gram netto of minder, en niet in tabletten of andere bepaalde vormen, kristallen uitgezonderd, van 200 gram netto of minder.

Sectie A.  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 6	Copieerpersen, drukpersen en dergelijke kantoorbenodigdheden:			
	1) indien zij een gewicht hebben van 150 kg of minder	waarde	10 pct.	-----
	2) indien zij meer wegen dan 150 kg	waarde	6 pct.	-----
Ex 8	Autobuitenbanden	waarde	12 pct.	-----
Ex 8	Autobinnenbanden	waarde	12 pct.	-----
Ex 59 B. B. 2a	Amerikaansch grenen-, vuren- en pijnboomenhout, indien in stammen of vierkant behakt of gezaagd	-----	vrij	-----
62 I en II	Koelkasten en koelapparaten, al dan niet samengesteld, en onderdeelen daarvan:			
	1) indien de inhoudsruimte groter is dan 2 M <sup>3</sup> buitenwerks voor koelkasten of indien het gewicht groter is dan 15 kg voor koelelementen	waarde	6 pct.	-----
	2) voor alle andere types	waarde	12 pct.	-----
Ex 95 B. B. a, b en d	Koper in koeken, staven en blokken	-----	vrij	-----
Ex 104 II en B. B. 2b	Plantaardige terpentijn	-----	vrij	-----
Ex 104	Pure lard en steam lard:			
	a) indien gebruikt als grondstof voor de fabricage van margarine	-----	vrij	-----
	b) indien gebruikt als grondstof voor de technische industrie	-----	vrij	-----
	c) indien gebruikt voor reexport, al dan niet bewerkt	-----	vrij	-----

Schedule I—Continued.

## SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number	Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
<p><i>Note 1:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:</p> <p>a) Fabrication of margarine; b) Technical production; c) Reexport, fabricated or not.</p> <p><i>Note 2:</i> If quantitative limitations are placed upon the importation into the Netherlands of pure lard and steam lard for any use whatsoever, the United States of America shall be accorded, at the choice of the United States, either a percentage equal to the average imports from the United States in the years 1929, 1930, and 1931, or a percentage equal to the imports from the United States in the year 1934, the total imports from the United States being calculated by adding direct imports, imports through free ports and imports out of bond.</p>				
Ex 104	Oleomargarine (oleo oil):			
	a) When used as a basic material for fabrication of margarine	-----	Free	-----
	b) When used as a basic material for technical production	-----	Free	-----
	c) When used for reexport, fabricated or not	-----	Free	-----
<p><i>Note:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:</p> <p>a) Fabrication of margarine; b) Technical production; c) Reexport, fabricated or not.</p>				

LIJST I—Voortgezet

Deel A  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
	<p><i>Aanteekening 1.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:</p> <p>a) de fabricage van margarine; b) de technische industrie; c) reexport, al dan niet bewerkt.</p>			
	<p><i>Aanteekening 2.</i> Indien de invoer in Nederland van pure lard en steam lard, voor welke doeleinden ook gebruikt, wordt gecontingenteerd, zal aan de Vereenigde Staten van Amerika worden toegekend, ter keuze van de Vereenigde Staten, hetzij een percentage gelijk aan den gemiddelden invoer uit de Vereenigde Staten in de jaren 1929, 1930 en 1931, hetzij een percentage gelijk aan den invoer uit de Vereenigde Staten in het jaar 1934, waarbij de totale invoer uit de Vereenigde Staten zal worden berekend door de samentelling van den directen invoer, den invoer uit vrijhavens en den invoer uit entrepot.</p>			
Ex 104	Oleomargarine (oleo oil):			
	a) indien gebruikt als grondstof voor de fabricage van margarine	-----	vrij	-----
	b) indien gebruikt als grondstof voor de technische industrie	-----	vrij	-----
	c) indien gebruikt voor re-export, al dan niet bewerkt	-----	vrij	-----
	<p><i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:</p> <p>a) de fabricage van margarine; b) de technische industrie; c) reexport, al dan niet bewerkt.</p>			

Schedule I—Continued.

## SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Ex 104 II B	Oleo stearine:				
	When used as a basic material for: fabrication of margarine; technical production; or reexport, fabricated or not:				
		1) When fluid at 15° C.	100 net kilos	flr. 0.70	-----
		2) Other	-----	Free	-----
	<i>Note:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:				
	a) Fabrication of margarine;				
	b) Technical production;				
	c) Reexport, fabricated or not.				
Ex 104 II B	Grease stearine:				
	When used as a basic material for: fabrication of margarine; technical production; or reexport, fabricated or not:				
		1) When fluid at 15° C.	100 net kilos	flr. 0.70	-----
		2) Other	-----	Free	-----
	<i>Note:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:				
	a) Fabrication of margarine;				
	b) Technical production;				
	c) Reexport, fabricated or not.				
Ex 118	Typewriters and parts		Ad val.	10%	-----
Ex 118	Calculating and adding machines, and parts		Ad val.	10%	-----
Ex 118	Bookkeeping machines and parts		Ad val.	10%	-----
Ex 129 I	Leaf tobacco; seed leaf, Maryland, Kentucky, and Virginia types		100 net kilos	flr. 1.40	-----
Ex 143 VI a	Passenger automobiles		Ad val.	15%	-----

## LIJST I—Voortgezet

Sectie A.  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 104 II B	Oleo stearine: indien gebruikt als grondstof voor: de fabricage van margarine, de technische industrie, of reexport, al dan niet bewerkt:			
	1) indien vloeibaar bij 15° C	100 kg netto	f 0.70	-----
	2) andere	-----	vrij	-----
	<i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze be- lasting inderdaad wordt be- taald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:			
	a) de fabricage van margarine;			
	b) de technische industrie;			
	c) reexport, al dan niet be- werkt.			
Ex 104 II B	Grease stearine: indien gebruikt als grondstof voor: de fabricage van margarine, de technische industrie, of reexport, al dan niet bewerkt:			
	1) indien vloeibaar bij 15° C	100 kg netto	f 0.70	-----
	2) andere	-----	vrij	-----
	<i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daar- van, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:			
	a) de fabricage van margarine;			
	b) de technische industrie;			
	c) reexport, al dan niet be- werkt.			
Ex 118	Schrijfmachines en onderdeelen daarvan	waarde	10 pct.	-----
Ex 118	Reken- en optelmachines, en on- derdeelen daarvan	waarde	10 pct.	-----
Ex 118	Boekhoudmachines en onderdee- len daarvan	waarde	10 pct.	-----
Ex 129 I	Tabak in bladen; Seedleaf-, Mary- land-, Kentucky- en Virginia types	100 kg netto	f 1.40	-----
Ex 143 VI a	Personen automobielen	waarde	15 pct.	-----

Schedule I—Continued.

## SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Ex 143 VI a	Commercial automobiles		Ad val.	15%	-----
143 VIII C	Internal combustion engines for				
1b	automobiles and tractors		Ad val.	15%	-----
Ex 143 VIII b	Tractors		Ad val.	15%	-----
143 VIIIB1	Chassis and chassis frames for				
	automobiles and tractors		Ad val.	15%	-----
Ex 143 VIII B 2b	Other underframes for tractors		Ad val.	15%	-----
Ex 146 VI B	Horse meat, salted		100 gro.	fr. 7. 50	-----
1b			kilos		
Ex 148 I 4	Fresh apples		Ad val.	12%	
<i>Note:</i> Monopoly fees shall be bound, as follows:					
	1) For the period July to February, inclusive, on any quantity imported		Gro. kilo		fr. 0.04
	2) For the period March to June, inclusive, on a quantity of imports not in excess of 13,500 metric tons gross		Gro. kilo		fr. 0.02
	3) For the period March to June, inclusive, on all imports in excess of 13,500 metric tons gross		Gro. kilo		fr. 0.04
Ex 148 I 5	Fresh pears		Ad val.	12%	
<i>Note:</i> Monopoly fees shall be bound, as follows:					
	1) For the period July to January, inclusive, on any quantity imported		Gro. kilo		fr. 0.04
	2) For the period February to June, inclusive, on a quantity of imports not in excess of 2,300 metric tons gross		Gro. kilo		fr. 0.02
	3) For the period February to June, inclusive, on all imports in excess of 2,300 metric tons gross		Gro. kilo		fr. 0.04



## LIJST I—Voortgezet

Sectie A  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie- heffing
Ex 143 VI a	Vracht automobielen	waarde	15 pct.	-----
143 VIII	Inwendige verbrandingsmotoren			
C 1b	voor automobielen en tractors	waarde	15 pct.	-----
Ex 143	Tractors	waarde	15 pct.	-----
VII b				
143 VIII	Chassis en chassisramen voor			
B 1	automobielen en tractors	waarde	15 pct.	-----
Ex 143 VIII	Andere onderstellen voor tractors	waarde	15 pct.	-----
B 2b				
Ex 146 VI B	Paardevleesch, gezouten	100 kg	f 7.50	-----
1b		bruto		
Ex 148 I 4	Versche appels	waarde	12 pct.	
	<i>Aanteekening.</i> De monopolieheffingen zullen als volgt worden vastgelegd:			
	1) voor de periode 1 Juli tot en met 28 Februari, voor elke ingevoerde hoeveelheid	kg bruto		f 0.04
	2) voor de periode 1 Maart tot en met 30 Juni, voor een invoer niet grooter dan 13.500 ton bruto	kg bruto		f 0.02
	3) voor de periode 1 Maart tot en met 30 Juni, voor elke ingevoerde hoeveelheid boven 13.500 ton bruto	kg bruto		f 0.04
Ex 148 I 5	Versche peren	waarde	12 pct.	
	<i>Aanteekening.</i> De monopolieheffingen zullen als volgt worden vastgelegd:			
	1) voor de periode 1 Juli tot en met 31 Januari, voor elke ingevoerde hoeveelheid	kg bruto		f 0.04
	2) voor de periode 1 Februari tot en met 30 Juni, voor een invoer niet grooter dan 2.300 ton bruto	kg bruto		f 0.02
	3) voor de periode 1 Februari tot en met 30 Juni, voor elke ingevoerde hoeveelheid boven 2.300 ton bruto	kg bruto		f 0.04

Schedule I—Continued.

## SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
		Fresh apples and pears			
		<p><i>Note:</i> In seasons of crop shortage in the Netherlands the period during which the monopoly fee of 2 florin cents shall be applied shall be February to June inclusive in the case of fresh apples and January to June inclusive in the case of fresh pears. The total quantities to be admitted during the periods of application of this rate shall not, however, exceed 13,500 metric tons in the case of fresh apples and 2,300 metric tons in the case of fresh pears. The Netherlands Government will at any time give sympathetic consideration to any representations which the Government of the United States of America may make to the effect that conditions are such as to justify such extension of the period during which the rate of 2 florin cents shall be applied.</p>			
Ex 148 I 6	Dried prunes		Ad val.	12%	flr. 0.02 per net kilo
Ex 148 I 11	Raisins		Ad val.	12%	flr. 0.01 per kilo: in bales, gross; others, net
Ex 148 I 16	Apricot kernels		Ad val.	10%	None
Ex 148 I 18	Grapefruit		Ad val.	12%	flr. 0.01 per gro. kilo
Ex 148 III B and C	Canned fruits:				
	1) If containing 5% or less added sugar (except pine- apple):				
	a) For containers of 1.2 kilos or less		Ad val.	30%	flr. 0.10 per net kilo
	b) For containers of over 1.2 kilos but not over 5 kilos		Ad val.	15%	flr. 0.05 per net kilo

## LIJST I—Voortgezet

Sectie A  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Versche appelen en peren:				
<p><i>Aanteekening.</i> Indien in eenig seizoen de oogst in Nederland schaarsch is, zal de periode, waarin de monopolieheffing van f 0.02 zal worden geheven, zich uitstrekken van 1 Februari tot en met 30 Juni, waar het betreft versche appelen, van 1 Januari tot en met 30 Juni, waar het betreft versche peren. Echter zullen de totale hoeveelheden, welke gedurende de perioden waarin deze heffing wordt toegepast, kunnen worden ingevoerd, waar het betreft versche appelen, 13.500 ton, en waar het betreft versche peren, 2.300 ton niet overschrijden. De Nederlandsche Regeering zal ten allen tijde in welwillende overweging nemen alle vertoogen van de Regeering van de Vereenigde Staten van Amerika, erop gericht om te bewijzen, dat de omstandigheden eene verlenging rechtvaardigen van de periode, gedurende welke de heffing van f 0.02 zal worden toegepast.</p>				
Ex 148 I 6	Gedroogde pruimen	waarde	12 pct.	f 0.02 per kg netto
Ex 148 I 11	Rozijnen	waarde	12 pct.	f 0.01 per kg: in balen, bruto; anders, netto
Ex 148 I 16	Abrikozen pitten	waarde	10 pct.	Geene
Ex 148 I 18	Grapefruit	waarde	12 pct.	f 0.01 per kg bruto
Ex 148 III B en C	Verduurzaamde vruchten, anders dan gedroogd, anders dan in pekels:			
	1) indien 5 pct. of minder toegevoegde suiker bevatende (uitgezonderd ananas):			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.10 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.05 per kg netto

Schedule I—Continued.

## SCHEDULE I—Continued

Section A  
Netherlands

Tariff Law  
of 1934  
Tariff  
Number

Articles

Basis of  
Assessment

Rate of  
Duty

Monopoly  
Fee

2) If containing more than 5%  
added sugar (except pine-  
apple):

a) For containers of 1.2 kilos  
or less

Ad val.

30%

flr. 0.05 per  
net kilo

b) For containers of over 1.2  
kilos but not over 5 kilos

Ad val.

15%

flr. 0.05 per  
net kilo

3) Canned pineapple:

a) For containers of 1.2 kilos  
or less

Ad val.

30%

flr. 0.075  
per net  
kilo

b) For containers of over 1.2  
kilos, but not over 5  
kilos

Ad val.

15%

flr. 0.075  
per net  
kilo

Note: Freedom to change the  
sugar duty and the crisis sugar  
tax is retained.

Ex 148 III  
C 1a and  
3a

Canned asparagus:  
For containers of:

1) 1.2 kilos or less

Ad val.

30%

flr. 0.15 per  
net kilo

2) over 1.2 kilos but not over  
5 kilos

Ad val.

15%

flr. 0.10 per  
net kilo

3) over 5 kilos

Ad val.

10%

flr. 0.10 per  
net kilo

Ex 148 II  
and Ex  
148 III  
C 1c

1) Rolled oats and cereal break-  
fast foods:  
In bulk

-----

Free

} See note

2) Rolled oats and oat grits:  
in packages

Ad val.

10%

} See note

Note: The monopoly fee on rolled  
oats and oat grits for human  
consumption is not to exceed  
5/3 of the monopoly fee at any  
time in force on oat grain,  
without, however, limiting the  
height of such fees.

## LIJST I—Voortgezet

Sectie A  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
	2) indien meer dan 5 pct. toe- gevoegde suiker bevat- tende (uitgezonderd ana- nas):			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.05 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.05 per kg netto
	3) Ananas in blik:			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.075 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.075 per kg netto
	<i>Aanteekening.</i> Het recht om de suiker belasting en de crisis suikerheffing te wijzigen blijft voorbehouden.			
Ex 148 III C 1a en 3a	Asperges in blik: in verpakkingen van:			
	1) 1.2 kg of minder	waarde	30 pct.	f 0.15 per kg netto
	2) meer dan 1.2 kg doch niet meer dan 5 kg	waarde	15 pct.	f 0.10 per kg netto
	3) meer dan 5 kg	waarde	10 pct.	f 0.10 per kg netto
Ex 148 II en ex 148 III C 1c	1) Havermout en "Cereal break- fast foods": in bulk	-----	vrij	{zie aan- teekening
	2) Havermout en gort van haver: verpakt	waarde	10 pct.	{zie aan- teekening
	<i>Aanteekening.</i> De monopoliehef- fing op havermout en op gort van haver, geschikt voor menselijke consumptie, zal niet meer bedragen dan 5/3 van de monopolieheffing, welke ook van kracht mocht zijn, op haver, zonder echter de hoogte van zoodanige monopoliehef- fingen vast te leggen.			

**Note:** The right to impose an import quota on automobile tire tubes in Netherlands Indies is reserved.

## LIJST I—Voortgezet

Sectie A  
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 148 I 24	Gepelde rijst:			
	1) in bulk		vrij	{ per 100 kg f 1.00
	2) verpakt	waarde	10 pct.	
Ex 33 III	Zwavel, al dan niet gezuiverd, in bulk	-----	vrij	-----
Ex 33 III	Borax, in bulk	-----	vrij	-----
Ex 104	Hars, in bulk	-----	vrij	-----
Ex 104	Smeerolie, in bulk	-----	vrij	-----
Ex 148 I	Ruwe katoen, in bulk	-----	vrij	-----

Sectie B Neder-  
landsch-IndiëVolgnummer  
(Wet van 29  
December 1933,  
Ned. Staats-  
blad No. 772)

Volgnummer (Wet van 29 December 1933, Ned. Staats- blad No. 772)	Artikelen	Maatstaf	Rechten		
			Invoerrecht	Tijdelijke opcenten	Totaal incl. opcenten
Ex 34 II	Versche appelen	waarde	20%	10%	30%
Ex 34 II	Versche druiven	waarde	20%	10%	30%
Ex 36	Gedroogde vruchten, n. a. g. behalve dadels en tama- rinde	waarde	20%	10%	30%
Ex 78	Zalm, enkel gekookt, in blikken	waarde	20%	10%	30%
Ex 93 en Ex 42	Havermout, haver- mais- tarwe- en rijstvlokken, zoomede gort en grutten	waarde	12%	6%	18%
Ex 97 II	Vruchten in water of jus of in wijn	waarde	20%	10%	30%
Ex 101 en Ex 103	Groenten, geconserveerd, alsmede asperges en artis- jokken; in flesschen of glazen potten of in andere luchtdichte verpakking	waarde	20%	10%	30%
Ex 121 I	Tabak in bladen	100 kg netto	f 12.00	f 6.00	f 18.00
Ex 211	Lakleder en overlleder	waarde	12%	6%	18%
Ex 235 I	Automobielbanden: buiten- banden	waarde	12%	6%	18%
	<i>Aanteekening.</i> Het recht is voorbehouden den invoer van automobiel-buiten- banden in Nederlandsch- Indië te contingentereen.				
Ex 235 I	Automobielbanden: binnen- banden	waarde	12%	6%	18%
	<i>Aanteekening.</i> Het recht is voorbehouden den invoer van automobiel-binnen- banden in Nederlandsch- Indië te contingentereen.				

Schedule I—Continued.

## SCHEDULE I—Continued

Section B Netherlands Indies Tariff Number (Law of December 29, 1933, Netherlands Staatsblad No. 772)	Articles	Basis of Assessment	Rate of Duty		
			Import Duty	Temporary Surtax	Total in- cluding Surtax
Ex 714	Internal combustion and explosion motors and parts: .				
	1) For automobiles of all kinds	Ad val.	20%	10%	30%
	2) For rail traction	-----	Free	-----	-----
	3) For boats and airplanes	Ad val.	12%	6%	18%
745	Refrigerators and cooling apparatus for household and commercial use, (as described in the Netherlands Indian tariff of December 29, 1933) and parts thereof	Ad val.	20%	10%	30%
Ex 761	Typewriters and parts	Ad val.	12%	6%	18%
Ex 761	Calculating and adding machines and parts	Ad val.	12%	6%	18%
834 I and II	Passenger automobiles, motor trucks, and motor busses:				
	1) Passenger automobiles	Ad val.	20%	10%	30%
	2) Motor trucks and busses	Ad val.	12%	6%	18%
836 I and II	Automobile chassis and parts:				
	1) For trucks and busses	Ad val.	12%	6%	18%
	2) For passenger automobiles	Ad val.	20%	10%	30%
837	Automobile accessories	Ad val.	20%	10%	30%



## LIJST I—Voortgezet

Sectie B Neder- landsch-Indië		Rechten			
Volgnummer (Wet van 29 December 1933, Ned. Staats- blad No. 772)	Artikelen	Maatstaf	Invoerrecht	Tijdelijke opcenten	Totaal incl. opcenten
Ex 714	Inwendige verbrandings- en explosie motoren en on- derdeelen:				
	1) voor alle soorten auto- mobielen	waarde	20%	10%	30%
	2) voor spoorwegen, enz.	-----	vrij	-----	-----
	3) voor vaartuigen en vliegtuigen	waarde	12%	6%	18%
745	Koelkasten en koelappa- raten voor huishoudelijk en commercieel gebruik (zoo- als omschreven in het Ne- derlandsch-Indisch Tarief van 29 Dec. 1933) en on- derdeelen	waarde	20%	10%	30%
Ex 761	Schrijfmachines en onderdee- len	waarde	12%	6%	18%
Ex 761	Reken- en optelmachines en onderdeelen	waarde	12%	6%	18%
834 I en II	Personen automobielen, vracht automobielen en autobussen:				
	1) personen automobielen	waarde	20%	10%	30%
	2) vracht automobielen en autobussen	waarde	12%	6%	18%
836 I en II	Automobiel-chassis en auto- mobiel onderdeelen:				
	1) voor vracht automobie- len en autobussen	waarde	12%	6%	18%
	2) voor personen automo- bielen	waarde	20%	10%	30%
837	Toebehooren en uitrustings- stukken voor automobie- len	waarde	20%	10%	30%

## Schedule II.

## SCHEDULE II

**Note:** The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles.

In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
4	Amyl alcohol, whether primary, secondary, or tertiary	4¢ per lb.
4	Fusel oil	4¢ per lb.
5	Laundry sour containing not less than 20 per centum of sodium silicofluoride and not less than 10 per centum of oxalic acid, not specially provided for	15% ad val. 15% ad val.
5	Ammonium silicofluoride	
5 and 23	Haarlem oil, whether or not in any form or container specified in paragraph 23	15% ad val.
15	Caffeine	90¢ per lb.
15	Theobromine	65¢ per lb.
24	Flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations, containing more than 50 per centum of alcohol	60¢ per lb. and 18% ad val.
37	Amyl acetate	4¢ per lb.
41	Edible gelatin, valued at less than 40 cents per pound	12% ad val. and 2½¢ per lb.
42	Glycerin, refined	¾¢ per lb., plus the lowest rate of ordinary customs duty provided for crude glycerin the product of any foreign country except Cuba, at the time such refined glycerin is entered, or withdrawn from warehouse, for consumption; but not more than 1½¢ per lb.
58	Distilled or essential cajepout oil not containing alcohol	12½% ad val.

## LIJST II

*Aanteekening.* De Bepalingen van deze lijst zullen worden uitgelegd en uitgevoerd, en de toepassing van daarmede samengaande bepalingen van de douanewetten van de Vereenigde Staten op de bepalingen van deze lijst zal, voor zoover doenlijk, worden vastgesteld alsof elke bepaling in deze lijst voorkwam in de wettelijke bepaling, vermeld in de kolom, links van de omschrijving van de betreffende artikelen.

Ingeval artikelen, opgenomen in deze lijst, op den dag van onderteekening van dit verdrag onderworpen zijn aan bijkomende of afzonderlijke gewone douanerechten, al dan niet opgelegd krachtens de wettelijke bepaling, vermeld in de kolom, links van de omschrijving van het betreffende artikel, zullen deze afzonderlijke of bijkomende rechten gehandhaafd blijven, behoudens eenige verlaging, welke in deze lijst is aangegeven of later mocht worden voorgeschreven, totdat zij worden opgeheven krachtens de wet, doch zij zullen niet worden verhoogd.

Tariefwet van de Vereenigde Sta- ten van 1930 Paragraaf	Artikelen	Rechten
4	Amyl alcohol, hetzij primair, secundair of tertiair	4 dollarcent per Am. pond
4	Foezelolie	4 dollarcent per Am. pond
5	"Laundry sour", niet minder dan 20% natrium silico fluoride en niet minder dan 10% zuring zuur bevattende, n.a.g.	15% ad val.
5	Ammonium silico fluoride	15% ad val.
5 en 23	Haarlemmer olie, al dan niet in eenigen vorm of in eenige verpakking als aangegeven in paragraaf 23	15% ad val.
15	Cafeïne	90 dollarcent per Am. pond
15	Theobromine	65 dollarcent per Am. pond
24	Aromatische extracten, en natuurlijke of synthetische vruchten aroma's, vruchtenesters, olien en essences, met hunne samenstellingen, meer dan 50% alcohol bevattende	60 dollarcent per Am. pond en 18% ad val.
37	Amyl acetaat	4 dollarcent per Am. pond
41	Eetbare gelatine, van een waarde van minder dan 40 dollarcent per Am. pond	12% ad val. en 2½ dollarcent per Am. pond
42	Glycerine, geraffineerd	¾ dollarcent per Am. pond, plus het laag- ste gewone invoer- recht op ruwe gly- cerine, herkomstig uit eenig vreemd land, uitgezonderd Cuba, geldende ten tijde dat dergelijke geraffineerde glyce- rine wordt ingevoerd, of uit entrepot wordt betrokken, voor con- sumptie, doch niet hooger dan 1½ dollar- cent per Am. pond
58	Gedistilleerde of vluchtige kajapoeti olie, geen alcohol bevattende	12½% ad val.

Schedule II—Continued.

## SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
77	Lithopone, and other combinations or mixtures of zinc sulphide and barium sulphate containing by weight less than 30 per centum of zinc sulphide	1½¢ per lb.
83	Potato starch	1¾¢ per lb.
84	Dextrine, made from potato starch or potato flour	2¼¢ per lb.
353	Electrical X-ray apparatus, instruments (other than laboratory), and devices, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	17¼% ad val.
601	Wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per centum of wrapper tobacco, entered for consumption or withdrawn from warehouse for consumption: Not later than June 30, 1936 If unstemmed	\$1.875 per lb.
	If stemmed	\$2.525 per lb.
	After June 30, 1936 If unstemmed	\$1.50 per lb.
	If stemmed	\$2.15 per lb.
710	Edam and Gouda cheese	5¢ per lb., but not less than 25% ad val.
719 (4)	Herring, pickled or salted (except herring packed in oil or in oil and other substances), whether or not boned, in immediate containers weighing with their contents more than fifteen pounds each and containing each not more than ten pounds of herring, net weight	¾¢ per lb., net weight
722	Pearl barley	1¢ per lb.
727	Broken rice, which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of one inch in diameter	¾¢ per lb.
753	Tulip bulbs Narcissus bulbs Crocus corms All other bulbs, roots, rootstocks, clumps, corms, tubers, and herbaceous perennials, imported for horticultural purposes and not specially provided for .	\$3 per thousand \$6 per thousand \$1 per thousand 15% ad val.
754	Seedlings and cuttings of Manetti, multiflora, brier, rugosa, and other rose stock, all the foregoing not more than three years old	\$1 per thousand

LIJST II—Voortgezet

Tariefwet van de  
Vereenigde Sta-  
ten van 1930  
Paragraaf

Artikelen

Rechten

77	Lithopoon, en andere verbindingen of mengsels van zink sulphide en barium sulfaat naar gewicht minder dan 30% zink sulphide bevattende	1½ dollarcent per Am. pond
83	Aardappelmeel	1½ dollarcent per Am. pond
84	Dextrine, uit aardappelmeel vervaardigd	2¼ dollarcent per Am. pond
353	Electrische Röntgen-apparaten, instrumenten (voorzooover niet voor laboratorium doeleinden bestemd), en toestellen, en onderdeelen daarvan, afgewerkt of onafgewerkt, naar de waarde geheel of voor een overwegend gedeelte van metaal, en n.a.g.	17½% ad val.
601	Tabak, dekblad en binnengoed, indien gemengd of verpakt met meer dan 35% dekblad, ingevoerd in het vrije verkeer dan wel uit entrepot betrokken voor verbruik: Niet later dan 30 Juni, 1936 Indien ongestript Indien gestript Na 30 Juni, 1936 Indien ongestript Indien gestript	1.875 dollar per Am. pond 2.525 dollar per Am. pond 1.50 dollar per Am. pond 2.15 dollar per Am. pond
710	Edammer en Gouda kaas	5 dollarcent per Am. pond, doch niet minder dan 25% ad val.
719 (4)	Haring, in pekel of gezouten (uitgezonderd haring in olie of in olie en andere bestanddeelen), al dan niet ontgraat, in onmiddellijke verpakkingen, elk met inhoud meer dan 15 Am. ponden wegende en niet meer dan 10 Am. ponden, netto gewicht, haring bevattende	¾ dollarcent per Am. pond netto gewicht
722	Parelgerst	1 dollarcent per Am. pond
727	Gebroken rijst, welke gereedelijk door een metalen zeef gaat, geperforeerd met ronde gaten van een doorsnede van vijf en een half vier en zestigste inch	½ dollarcent per Am. pond
753	Tulpebollen Narcisbollen Crocus tuberkels Alle andere bollen, wortels, wortelstokken, pollen, tuberkels, knollen, en kruidachtige overblijvende planten, ingevoerd voor tuinbouwkundige doeleinden, en n. a. g.	3 dollar per duizend 6 dollar per duizend 1 dollar per duizend
754	Zaaiplanten en stekken van Manetti, multiflora, wilde rozen, rugosa, en andere stamrozen, indien niet ouder dan drie jaar	15% ad val. 1 dollar per duizend

Schedule II—Continued.

## SCHEDULE II—Continued

	United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
762		Poppy seed	16¢ per 100 lbs.
764		Other garden and field seeds:	
		Beet (except sugar beet)	3¢ per lb.
		Cabbage	6¢ per lb.
		Carrot	3¢ per lb.
		Kale	3¢ per lb.
		Mangelwurzel	2¢ per lb.
		Radish	3¢ per lb.
		Spinach	½¢ per lb.
		Turnip	4¢ per lb.
		Rutabaga	4¢ per lb.
		Flower	3¢ per lb.
		All other garden and field seeds not specially provided for	3¢ per lb.
769		Split peas	1¼¢ per lb.
774		Cabbage in its natural state	1½¢ per lb.
775		Sauerkraut	25% ad val.
775		Onions, pickled, or packed in brine	25% ad val.
776		Chicory, ground, or otherwise prepared	3¢ per lb.
777 (a)		Cocoa and chocolate, unsweetened	1½¢ per lb., net weight
777 (b)		Cocoa and chocolate, sweetened:	
		In bars or blocks weighing ten pounds or more each	2¢ per lb.
		In any other form, whether or not prepared, valued at 10 cents or more per pound	20% ad val.
777 (c)		Cacao butter	12½% ad val.
802		Gin	\$2.50 per proof gallon
912		Labels, for garments or other articles, wholly or in chief value of cotton or other vegetable fiber	25% ad val.
1005 (a) (1)		Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of sisal	1¢ per lb.
		Any of the foregoing smaller than three-fourths of one inch in diameter shall be subject to an additional duty of	7½% ad val.

## LIJST II—Voortgezet

Tariefwet van de  
Vereenigde Sta-  
ten van 1930  
Paragraaf

## Artikelen

## Rechten

762	Blauwmaanzaad	16 dollarcent per 100 Am. ponden
764	Andere tuin- en veldzaden:	
	Bieten- (uitgezonderd suikerbieten-)	3 dollarcent per Am. pond
	Kool-	6 dollarcent per Am. pond
	Peen-	3 dollarcent per Am. pond
	Boerenkool-	3 dollarcent per Am. pond
	Mangelwortel-	2 dollarcent per Am. pond
	Radijs-	3 dollarcent per Am. pond
	Spinazie-	¼ dollarcent per Am. pond
	Rapen-	4 dollarcent per Am. pond
	Rutabaga-	4 dollarcent per Am. pond
	Bloem-	3 dollarcent per Am. pond
	Alle andere tuin- en veldzaden, n. a. g.	3 dollarcent per Am. pond
769	Splitterwten	1¼ dollarcent per Am. pond
774	Kool in natuurlijken staat	1½ dollarcent per Am. pond
775	Zuurkool	25% ad val.
775	Uien, ingemaakt of in pekkel	25% ad val.
776	Cichorei, gemalen of anders bewerkt	3 dollarcent per Am. pond
777 (a)	Cacao en chocolade, ongesuikerd	1½ dollarcent per Am. pond netto gewicht
777 (b)	Cacao en chocolade, gesuikerd:	
	In reepen of blokken, elk tien of meer Am. ponden wegende	2 dollarcent per Am. pond
	In eenigen anderen vorm, al dan niet bewerkt, van een waarde van 10 dollarcent of meer per Am. pond	20% ad val. 12½% ad val.
777 (c)	Cacao boter	2.50 dollar per proof
802	Jenever	gallon
912	Etiketten, voor kledingstukken of andere artikelen, naar de waarde geheel of voor een overwegend gedeelte van katoen of andere plantaardige vezels	25% ad val.
1005 (a) (1)	Touwwerk, kabels inbegrepen, geteerd of ongeteerd, samengesteld uit drie of meer strengen, elke streng samengesteld uit twee of meer garens, naar de waarde geheel of voor een overwegend gedeelte van sisal	1 dollarcent per Am. pond
	Elk van de hiervoren vermelde artikelen, indien in doorsnede kleiner dan drie vierde van een inch, zal onderhevig zijn aan een bijkomend invoerrecht van	7½% ad val.

Schedule II—Continued.

## SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
1005 (b)	Cords and twines (whether or not composed of three or more strands, each strand composed of two or more yarns), tarred or untarred, single or plied, wholly or in chief value of manila (abaca), sisal, henequen, or other hard fiber	20% ad val.
1012	Pile fabrics, whether or not the pile covers the entire surface, wholly or in chief value of vegetable fiber, except cotton, and all articles, finished or unfinished, made or cut from such pile fabrics; if the pile is partly cut	30% ad val.
1407 (a)	Bristol board of the kinds made on a Four-drinier or a multicylinder machine, weighing eight pounds or over per ream and valued at not above 15 cents per pound	2¢ per lb. and 10% ad val.
1409	Strawboard and straw paper, including such as is known as wrapping paper; any of the foregoing less than twelve one thousandths but not less than eight one thousandths of one inch in thickness, not specially provided for	15% ad val.
1504 (b) (5)	Hats provided for in paragraph 1504, if known as harvest hats and valued at less than \$3 per dozen	12½% ad val.
1552	Tobacco pipes having clay bowls (not including meerschaum) and mouthpieces of material other than clay	2½¢ each and 30% ad val.
1602	Aloes, which are natural and unpounded and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	Free
1609	Gambier, and extracts thereof, not containing alcohol	Free
1619	Barks, cinchona or other, from which quinine may be extracted	Free
1681	Moleskins, undressed	Free
1684	Kapok, not dressed or manufactured in any manner	Free
1684	Sisal, not dressed or manufactured in any manner	Free



## LIJST II—Voortgezet

Tariefwet van de Vereenigde Sta- ten van 1930 Paragraaf	Artikelen	Rechten
1005(b)	Touw en twijndraad (al dan niet samen- gesteld uit drie of meer strengen, elke streng samengesteld uit twee of meer garens), geteerd of ongeteerd, enkelvoudig of doorgeschooten, naar de waarde geheel of voor een overwegend gedeelte van Manilla (abaca), sisal, henequen, of andere harde vezels	20% ad val.
1012	Poolweefsels, waarvan de pool de opper- vlakte hetzij geheel hetzij gedeeltelijk bedekt, en die naar de waarde geheel of voor een overwegend gedeelte ver- vaardigd zijn van plantaardige vezels, met uitzondering van katoen, en alle artikelen, afgewerkt of onafgewerkt, gemaakt of gesneden van zulke pool- weefsels, indien de pool gedeeltelijk gesneden en gedeeltelijk getrokken is	30% ad val.
1407 (a)	Bristol karton, zooals vervaardigd met een Fourdrinier- of een meer-cylinder ma- chine, wegend 8 Am. ponden of meer per riem en van een waarde van niet meer dan 15 dollarcent per Am. pond	2 dollarcent per Am. pond en 10% ad val.
1409	Strookarton en stroopapier, pakpapier in- begrepen, indien minder dan twaalf dui- zendste, maar niet minder dan acht duizendste inch dik, n.a.g.	15% ad val.
1504 (b) (5)	Hoeden als bedoeld in paragraaf 1504, indien bekend onder den naam "oogs- thoeden", en van een waarde van minder dan 3 dollar per dozijn	12½% ad val.
1552	Tabakspijpen met koppen van klei (meer- schuim niet inbegrepen), en met mond- stukken uit ander materiaal dan klei vervaardigd	2½ dollarcent per stuk en 30% ad val.
1602	Aloë, in natuurlijken-, niet samengestel- den- en ruwen vorm, en waarvan de waarde of kwaliteit niet is verhoogd door verdrading, vermaling, verbrok- keling, persing, of eenig ander proces of behandeling, welke dan ook, buiten hetgeen vereischt is voor eene goede verpakking en de voorkoming van be- derf of achteruitgang in afwachting van de bewerking, en geen alcohol bevattende	vrij
1609	Gambier en extracten daarvan, geen al- cohol bevattende	vrij
1619	Kina- en andere basten waaruit kinine kan worden getrokken	vrij
1681	Mollezellen, onbereid	vrij
1684	Kapok, niet op eenige wijze bereid of bewerkt	vrij
1684	Sisal, niet op eenige wijze bereid of bewerkt	vrij

Schedule II—Continued.

## SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
1685	Ammonium sulphate of a grade used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers	Free
1686	Copal	Free
1697	Crude gutta percha and gutta siak	Free
1731	Distilled or essential caraway oil, not containing alcohol	Free
1731	Distilled or essential citronella oil, not containing alcohol	Free
1732	Expressed or extracted palm oil	Free
<i>Note:</i> No federal internal tax in excess of the rate of 3¢ per lb. now provided for in sec. 602½ of the Revenue Act of 1934 shall be imposed in the United States in respect of palm oil the product of the Netherlands or any of its overseas territories.		
1748	Quinine sulphate and all alkaloids and salts of alkaloids derived from cinchona bark	Free
1753	Sago, crude, and sago flour	Free
1765	Reptile skins, raw	Free
1768 (1)	Cassia, cassia buds, and cassia vera; if unground	Free
1768 (1)	Mace, if unground	Free
1768 (1)	Nutmegs, if unground	Free
1768 (1)	Black or white pepper, if unground	Free
1768 (2)	Caraway seeds	Free
1781	Tapioca, tapioca flour, and cassava	Free
1806	Sticks of rattan in the rough, or not further advanced than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes	Free

## LIJST II—Voortgezet

Tariefwet van de Vereenigde Sta- ten van 1930 Paragraaf	Artikelen	Rechten
1685	Ammonium sulfaat van een kwaliteit hoofd- zakelijk gebruikt voor meststoffen, of hoofdzakelijk als bestanddeel voor de fabricage van meststoffen	vrij
1686	Gomcopal	vrij
1697	Ruwe gutta percha en gutta siak	vrij
1731	Gedistilleerde of vluchtige karwijolie, geen alcohol bevattende	vrij
1731	Gedistilleerde of vluchtige citronella olie, geen alcohol bevattende	vrij
1732	Uitgeperste of geextraheerde palmolie	vrij
	<i>Aanteekening.</i> Geen federale binnen- landsche belasting zal in de Vereenigde Staten worden geheven met betrekking tot palmolie, herkomstig van Nederland en zijn overzeesche gebiedsdeelen, hoo- ger dan de thans, krachtens Sec. 602½ van de Revenue Act 1934, geheven be- lasting van 3 dollarcent per Am. pond	
1748	Kinine sulfaat en alle alkaloiden en zouten van alkaloiden, verkregen uit de kina- bast	vrij
1753	Sago, onbewerkt, en sagomeel	vrij
1765	Reptielhuiden, onbewerkt	vrij
1768(1)	Cassia, cassiaknoppen en cassia vera, voor- zoover ongemalen	vrij
1768(1)	Foelie, voorzoover ongemalen	vrij
1768(1)	Notemuskaat, voorzoover ongemalen	vrij
1768(1)	Zwarte of witte peper, voorzoover onge- malen	vrij
1768(2)	Karwijzaad	vrij
1781	Tapioca, tapiocameel en cassave	vrij
1806	Ruwe rottan stokken, of rottan niet verder bewerkt dan gesneden op maten voor stokken, geschikt voor regenschermen, parasollen, zonneschermen, zweepen, vischhengels of wandelstokken	vrij

## Schedule III.

## SCHEDULE III

## 1. Wheat flour:

The Netherlands Government undertakes to purchase annually from mills in the United States of America a quantity of wheat flour equivalent to not less than five per centum of the annual total wheat flour consumption in the Netherlands, provided that the price of such wheat flour delivered in the Netherlands is competitive with the price of other foreign wheat flour of comparable grade and quality.

## 2. Milling wheat:

The Netherlands Government undertakes to purchase annually a quantity of milling wheat originating in the United States of America equivalent to not less than five per centum of the annual total consumption of foreign milling wheat in the Netherlands, provided that the price of the milling wheat originating in the United States of America is competitive with the world price for milling wheat of comparable grade and quality.

*Note 1.* Of the total annual quantities of either milling wheat or wheat flour originating in the United States of America which the Netherlands Government undertakes to purchase pursuant to the foregoing provisions, one-twelfth part thereof will be purchased each month unless purchases for one or more months are made in advance. If in any month the prices of milling wheat or wheat flour originating in the United States of America are not competitive and for this reason the monthly purchases are smaller than those provided for above, the Netherlands Government shall not be obligated to compensate for such deficiency by correspondingly increased purchases in later months.

*Note 2.* The Netherlands Government will give sympathetic consideration to any representations which the Government of the United States of America may make with respect to any matter pertaining to the application of the provisions of this Schedule.

## LIJST III

## 1. Tarwebloem.

De Nederlandsche Regeering verbindt zich jaarlijks van molens in de Vereenigde Staten van Amerika te koopen een hoeveelheid tarwebloem, overeenkomende met niet minder dan vijf percent van het totale jaarlijksche verbruik van tarwebloem in Nederland, mits de prijs van dergelijke tarwebloem, afgeleverd in Nederland, concurreerend is met den prijs van andere buitenlandsche tarwebloem van gelijksoortige hoedanigheid en kwaliteit.

## 2. Maaltarwe.

De Nederlandsche Regeering verbindt zich jaarlijks te koopen een hoeveelheid maaltarwe, van oorsprong uit de Vereenigde Staten van Amerika, overeenkomende met niet minder dan vijf percent van het totale jaarlijksche verbruik van buitenlandsche maaltarwe in Nederland, mits de prijs van de maaltarwe, van oorsprong uit de Vereenigde Staten van Amerika, concurreerend is met den wereldprijs voor maaltarwe van gelijksoortige hoedanigheid en kwaliteit.

*Aanteekening 1.* Van de totale jaarlijksche hoeveelheden maaltarwe of tarwebloem, van oorsprong uit de Vereenigde Staten van Amerika, tot welker aankoop de Nederlandsche Regeering zich overeenkomstig de hiervoor genoemde bepalingen verbindt, zal elke maand een twaalfde gedeelte worden aangekocht, tenzij voor een of meer maanden vooruit wordt gekocht. Indien in eenige maand de prijzen van maaltarwe of tarwebloem, van oorsprong uit de Vereenigde Staten van Amerika, niet concurreerend zijn en om deze reden de maandelijksche aankopen kleiner zijn dan de hierboven aangeduide, zal de Nederlandsche Regeering niet verplicht zijn een zoodanig tekort aan te vullen door overeenkomstig verhoogde aankopen in latere maanden.

*Aanteekening 2.* De Nederlandsche Regeering zal in welwillende overweging nemen de vertoogen, welke de Regeering van de Vereenigde Staten tot Haar mocht richten, met betrekking tot alle aangelegenheden betreffende de toepassing van de bepalingen van deze Lijst.

## Schedule IV.

## SCHEDULE IV

Section A Netherlands	Statistical Number	Articles	Minimum quantity to be admitted annually from the United States
	61	Horse meat, salted	1,000 metric tons
	231	Soybean cake	2,500 metric tons
	324	Portland cement	80 metric tons
	326	Nitrate, Chilean, including synthetic	4,508 metric tons of synthetic nitrate
	373	Wire nails and tacks	738 metric tons
	8373	Drawn wire, iron and steel	2,762 metric tons
	2391, 3391, 4391, 5391, ex 8391	Locks and parts	1,000 kilos
	397	Sheet zinc	69 metric tons
	447	"Peeled" and cleaned or polished rice	3,500 metric tons
	509	Matches	11,149 kilos—with the condition that entire quota is used for paper matches packed not more than 25 matches to each paper folder and obviously for advertising purposes
	667, 668, 669, 670, 671, 672, 674	Upper leather, lining leather and chamois leather	148 metric tons—granted for the statistical numbers 667, 668, 669, 670, 671, 672, 674, without fixing a special quota for each statistical number. It is understood, however, that the greatest part of this quota will be used for the imports of chrome tanned upper leather, goat and kid. No increase in quota will take place for the imports of upper leather, cattle side and upper leather, patent
	675	Footwear, chiefly of leather	10,000 pairs
	Ex 3675, Ex 5675	Footwear, other	7,700 pairs, rubber
	4713, 5713, Ex 7726, Ex 8726	Fabrics manufactured of artificial silk	1,410 kilos
	4714, 5714, Ex 7726, Ex 8726	Fabrics manufactured of artificial silk mixed with other materials	170 kilos
	717, 4726	Fabrics manufactured of cotton, bleached	2,114 kilos
	718, 719, 720, Ex 5726	Fabrics manufactured of cotton, printed, dyed, woven figured	20,164 kilos
	723, 724, 725, 726, 2726	Fabrics manufactured of wool and mixtures	25,000 kilos
	741, 742, Ex 2742	Ribbons, tape, elastic bands, et cetera	7,500 kilos
	754, 2754	Men's outer clothing (without rubber)	4,500 kilos
	756, 2756	Ladies' outer clothing, including infants' wear (without rubber)	5,500 kilos

## LIJST IV

Deel A. Nederland		
Statistiek Nummer	Artikelen	Minimum hoeveelheid jaarlijks toe te laten uit de Vereenigde Staten
61	Paardevleesch, gezouten	1.000 ton
231	Soyakoeken	2.500 ton
324	Portland cement	80 ton
326	Chilisalpeter, synthetische inbegrepen	4.508 ton synthetische sal- peter
373	Draadnagels, spijkers en krammen	738 ton
8373	Getrokken draad, ijzer en staal	2.762 ton
2391, 3391, 4391, 5391, ex 8391	Sloten en onderdeelen daarvan	1.000 kg
397	Bladzink	69 ton
447	Gepelde rijst	3.500 ton
509	Lucifers	11.149 kg—onder voor- waarde dat het geheele contingent wordt ge- bruikt voor papieren luci- fers, verpakt in vouwers van niet meer dan 25 lucifers, en kennelijk voor advertentie doeleinden
667, 668, 669, 670, 671, 672, 674	Over-, voering- en zeemleder	148 ton toegestaan voor de statistische nummers 667, 668, 669, 670, 671, 672, 674, zonder een contin- gent voor elk afzonder- lijk statistiek nummer vast te stellen. Het is evenwel goed verstaan, dat het grootste deel van dit contingent zal worden gebruikt voor den invoer van Chroomgeloid gel- tenleder; geen vergroo- ting van contingent zal plaats vinden voor den invoer van Chroomge- loid overleder, Java- of rundbox en lakleder
675	Schoeisel, voornamelijk van leder	10.000 paar
Ex 3675, ex 5675	Schoeisel, ander	7.700 paar van rubber
4713, 5713, ex 7726, ex 8726	Manufacturen van kunstzijde	1.410 kg
4714, 5714, ex 7726, ex 8726	Manufacturen van kunstzijde en mengsels	170 kg
717, 4726	Manufacturen van katoen, gebleekt	2.114 kg
718, 719, 720, ex 5726	Manufacturen van katoen, bedrukt, geverfd, bontgeweven	20.164 kg
723, 724, 725, 726, 2726	Manufacturen van wol en mengsels	25.000 kg
741, 742, ex 2742	Lint, band, elastiekbanden, enz.	7.500 kg
754, 2754	Heeren bovenkleeding (zonder rubber)	4.500 kg
756, 2756	Dames bovenkleeding met inbegrip van bovenkleeding voor kleine kin- deren (zonder rubber)	5.500 kg

Schedule IV—Continued.

## SCHEDULE IV—Continued

Section A Netherlands Statistical Number	Articles	Minimum quantity to be admitted annually from the United States
757	Stockings and socks	30,000 dozen pairs
2757, 3757	Knitted wear	36,036 kilos
758	Under clothing	2,693 kilos
3764	Shirts	5,400 kilos
813, 814	Printing and writing paper, and printing and writing cardboard paper	168,600 kilos
815, 817, 818, 2818, 3818, 819, 2819, 820, 826	"Other paper"	98,183 kilos
825, 827, 828, 2828, 829, 2829, 830, 831, 832, 833	Paper products	197,300 kilos
Section B Netherlands Indies		
359	Fertilizers, unspecified	20% of average total imports during 1931- 1932



LIJST IV—Voortgezet

Sectie A Nederland		Artikelen	Minimum hoeveelheid jaarlijks toe te laten uit de Vereenigde Staten
Statistiek Nummer			
757	Kousen en sokken		30.000 dozijn paar
2757, 3757	Tricotages		36.036 kg
758	Onderkleeding		2.693 kg
3764	Overhemden		5.400 kg
813, 814	Druk- en schrijfpapier; idem karton		168.600 kg
815, 817, 818, 2818, 3818, 819, 2819, 820, 826	"Ander papier"		98.183 kg
825, 827, 828, 2828, 829, 2829, 830, 831, 832, 833	Papierwaren		197.300 kg
Sectie B		Nederlandsch-Indië	
359	Meststoffen n.a.g		20% van den gemid- delden totalen invoer in de jaren 1931- 1932

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the four Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

*Ante*, p. 1524.

WHEREAS it is provided in Article XVII of the said Agreement that it shall be proclaimed by the President of the United States of America and shall be ratified by Her Majesty the Queen of the Netherlands;

WHEREAS it is further provided in the said Article XVII that pending ratification of the Agreement by Her Majesty the Queen of the Netherlands, the provisions of Articles I to XVI, inclusive, shall be applied, reciprocally, by the United States of America and the Kingdom of the Netherlands, on and after February 1, 1936, and that the entire Agreement shall come into force one month after the day on which the Netherlands Government has communicated the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and the Government of the United States of America has communicated the proclamation of the President of the United States of America to the Netherlands Government.

Proclamation.

48 Stat. 943.  
19 U. S. C. § 1351.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the provisions of Articles I to XVI, inclusive, thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after February 1, 1936, pending ratification of the Agreement by Her Majesty the Queen of the Netherlands and that the entire Agreement and every part thereof may be so observed and fulfilled one month after the day of the communication of such ratification to the Government of the United States of America and of this my Proclamation to the Netherlands Government, as provided for in Article XVII of the Agreement.

*Ante*, p. 1524.

48 Stat. 943.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

WILBUR J CARR

*Acting Secretary of State.*

*Supplementary Proclamation.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, by my proclamation of December 28, 1935, I did make public the Trade Agreement, including four annexed Schedules, which, pursuant to Section 350 (a) of the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930", I entered into, on December 20, 1935, with Her Majesty the Queen of the Netherlands, in order that the provisions of Articles I to XVI, inclusive, thereof, should be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after February 1, 1936, pending ratification of the Agreement by Her Majesty the Queen of the Netherlands, as is provided in Article XVII of the Agreement, and that the entire Agreement and every part thereof should be so observed and fulfilled one month after the day of the communication of the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and of the proclamation by the President of the United States of America to the Netherlands Government, as is also provided in Article XVII of the said Agreement;

AND WHEREAS the intercommunication of the proclamation of the President of the United States of America and the ratification of Her Majesty the Queen of the Netherlands took place at Washington on April 8, 1937, as is evidenced by a Protocol signed on that day by the Secretary of State of the United States of America and the Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Washington;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, supplementing my said proclamation of December 28, 1935, do hereby proclaim that the entire Agreement will come into force on May 8, 1937; and I do hereby call upon the United States of America and all the citizens thereof to observe and fulfill the said Agreement and every part thereof with good faith on and from that date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of April in the year of our Lord one thousand nine hundred and thirty-seven,  
[SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

Supplementary  
proclamation.  
*Ante*, p. 1526.

48 Stat. 943.  
19 U. S. C. § 1351.

*Ante*, p. 1524.

Proclaiming date  
entire Agreement en-  
ters into force.

Exchange of Notes.

EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE OF  
THE UNITED STATES OF AMERICA AND THE NETHERLANDS  
DIRECTOR OF TRADE AGREEMENTS

*The Secretary of State (Hull) to the Netherlands Director of Trade  
Agreements (Lamping)*

DEPARTMENT OF STATE,  
Washington, December 20, 1935.

SIR:

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington by representatives of the Government of the United States and the Netherlands Government with reference to certain special duties.

These conversations have disclosed a mutual understanding between the two Governments, which is that neither will impose on products of territories of the other Government any antidumping duty or new or additional duty to countervail the payment or bestowal of a bounty or grant, without first giving the other Government, through an informal notice, an opportunity to present representations with respect to the proposed duty. No decision to impose such duty will be made within thirty days after the date of the informal notice, unless an earlier decision is required by law. Any representations submitted by the other Government will be carefully considered by the Government contemplating the imposition of the duty.

Accept, Sir, the assurances of my highest consideration.

CORDELL HULL

*Secretary of State  
of the United States of America.*

The Honorable ARNOLD THEODOOR LAMPING,  
*Director of Trade Agreements,  
Chief of the Netherlands Delegation,*

*Washington.*

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*The Netherlands Director of Trade Agreements (Lamping) to the Secretary  
of State (Hull)*

20 DECEMBER 1935.

EXCELLENTIE,

Ik heb de eer de ontvangst te erkennen van Uwer Excellentie's nota van heden, bevattende een uiteenzetting van Uwer Excellentie's opvatting met betrekking tot de overeenstemming, ten opzichte van zekere bijzondere rechten, bereikt gedurende onlangs te Washington

gehouden besprekingen tusschen de vertegenwoordigers van de Nederlandsche Regeering en die van de Regeering van de Vereenigde Staten van Amerika.

Gedurende deze besprekingen is tot uiting gekomen een gelijke opvatting tusschen beide Regeeringen, dat, met name, geen van beide Regeeringen op producten van het gebied der andere eenig anti-dumping recht zal leggen, noch eenig nieuw of bijkomend recht ter compensatie van de betaling of toekenning van een premie of uitkeering, zonder eerst de andere Regeering, na Haar daarvan langs informeele weg kennis te hebben gegeven, de gelegenheid te hebben geboden tot het doen van voorstellen met betrekking tot het voorgenomen recht. Geen beslissing, ten aanzien van het opleggen van een zoodanig recht, zal worden genomen binnen dertig dagen na den datum van de hiervoor bedoelde informeele kennisgeving, tenzij de wet een vroegere beslissing vereischt. Elk, door de andere Regeering ingediend, vertoog zal door de Regeering, welke voornemens is tot de oplegging van bedoeld recht over te gaan, zorgvuldig in overweging worden genomen.

Ik heb de eer Uwer Excellentie de aldus bereikte overeenstemming te bevestigen.

Ik neem deze gelegenheid te baat U, Mijnheer de Staatssecretaris, de hernieuwde verzekering mijner hoogste achting aan te bieden.

LAMPING

*Directeur van de Handelsaccorden.*

WASHINGTON, D. C.

Zijner Excellentie den Heere CORDELL HULL,  
*Secretaris van Staat*  
*van de Vereenigde Staten van Amerika,*  
*Washington, D. C.*

[ Translation ]

20 DECEMBER 1935.

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note of today's date containing a statement of Your Excellency's understanding of the agreement reached through recent conversations held at Washington by representatives of the Government of the United States and the Netherlands Government with reference to certain special duties.

These conversations have disclosed a mutual understanding between the two Governments, which is that neither will impose on products of territories of the other Government any antidumping duty or new or additional duty to countervail the payment or bestowal of a bounty or grant, without first giving the other Government, through an informal notice, an opportunity to present representations with respect to the proposed duty. No decision to impose such duty will be made within thirty days after the date of the informal notice, unless an

earlier decision is required by law. Any representations submitted by the other Government will be carefully considered by the Government contemplating the imposition of the duty.

I beg to confirm to Your Excellency the agreement thus reached.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

LAMPING

*Director of Trade Agreements.*

WASHINGTON, D. C.

His Excellency Mr. CORDELL HULL,

*Secretary of State*

*of the United States of America,*

*Washington, D. C.*

## PROTOCOL

Protocol.

The undersigned Cordell Hull, Secretary of State of the United States of America, and Jonkheer H. M. van Haersma de With, Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Washington, having met this day for the purpose of making in behalf of their respective Governments the communication of instruments provided for in Article XVII of the Trade Agreement between the President of the United States of America and Her Majesty the Queen of the Netherlands, signed at Washington on December 20, 1935, in order to bring the said Agreement into force in its entirety; and the instruments being produced and found in due form, the Secretary of State handed to the Minister of the Netherlands the proclamation of the said Agreement by the President of the United States of America, and the Minister of the Netherlands handed to the Secretary of State the ratification of the said Agreement by Her Majesty the Queen of the Netherlands.

*Ante*, p. 1524.

The intercommunication contemplated in the second paragraph of Article XVII of the Agreement having thus been consummated, the entire Agreement will, in accordance with its terms, come into force one month after this day, namely, on May 8, 1937.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol and have affixed their seals thereto.

Signatures.

DONE at Washington this eighth day of April, one thousand nine hundred and thirty-seven.

CORDELL HULL [SEAL]

*Secretary of State**of the United States of America.*

H. M. VAN HAERSMA DE WITH [SEAL]

*Envoy Extraordinary and Minister Plenipotentiary**of the Netherlands.*

February 19, 1937  
[E. A. S. No. 101]

*Agreement between the United States of America and El Salvador respecting reciprocal trade. Signed at San Salvador, February 19, 1937; proclaimed by the President of El Salvador, April 30, 1937; proclaimed by the President of the United States, May 1, 1937; effective, May 31, 1937.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Reciprocal trade  
agreement with El  
Salvador.  
48 Stat. 943.  
19 U. S. C. § 1351.

Statutory authori-  
zation.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import



restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of El Salvador are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of El Salvador;

Promotion of foreign trade.

48 Stat. 943.  
19 U. S. C. §1351.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on February 19, 1937, through my duly empowered Plenipotentiary, with the President of the Republic of El Salvador, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Trade agreement entered into.

#### COMMERCIAL AGREEMENT CELEBRATED BETWEEN THE UNITED STATES OF AMERICA AND EL SALVADOR 1937.

The President of the United States of America and the President of the Republic of El Salvador, desiring to strengthen the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal advantages for the promotion of trade, have decided to conclude a trade agreement and for that purpose have appointed their Plenipotentiaries as follows:

Purposes declared.

The President of the United States of America, Dr. Frank P. Corrigan, Envoy Extraordinary and Minister Plenipotentiary to the Republic of El Salvador;

Plenipotentiaries.

The President of the Republic of El Salvador, Dr. Miguel Angel Araujo, Secretary of State for Foreign Affairs.

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following Articles:

#### ARTICLE I

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of El Salvador, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of El Salvador in force on the day of the signature of this Agreement.

Enumerated imports into El Salvador.  
Post, p. 1571.

No excess duties, etc.

## ARTICLE II

Specified imports  
from El Salvador.  
*Post*, p. 1572.

Articles the growth, produce or manufacture of the Republic of El Salvador, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the United States of America in force on the day of the signature of this Agreement.

As long as there remain operative the quota provisions of the Act entitled "An Act To include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved by the President of the United States of America on May 9, 1934, as modified and extended by Public Resolution No. 109, approved June 19, 1936, or the quota provisions of any similar Act which also provides for not charging to the quota of any country sugar with respect to which a drawback of duty is allowed for such country, any sugar imported into the United States of America from the Republic of El Salvador with respect to which a drawback of duty is allowed, under the provisions of Section 313 of the Tariff Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture of the United States of America for the Republic of El Salvador.

48 Stat. 670; 49 Stat.  
1539.  
7 U. S. C., Supp. II,  
§§ 613a, 608a-1.

46 Stat. 693.  
19 U. S. C. § 1313.

## ARTICLE III

Notes in schedules  
considered part of  
Agreement.  
*Post*, pp. 1571, 1572.

The United States of America and the Republic of El Salvador agree that the notes included in Schedule I and II are hereby given force and effect as integral parts of this Agreement.

## ARTICLE IV

Internal tax ex-  
emption.

Articles the growth, produce or manufacture of the United States of America or the Republic of El Salvador, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

## ARTICLE V

Ad valorem duties.  
Determination, etc.,  
of rates.  
*Post*, pp. 1571, 1572.

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of El Salvador, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of El Salvador and the United States of America, respectively, in force on the day of the signature of this Agreement.

## ARTICLE VI

No quantitative  
regulation.

1. The United States of America will not impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the Republic of El

Salvador, enumerated and described in Schedule II; nor will the Republic of El Salvador impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I.

2. The foregoing provision shall not apply to:

(a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws; or to

(b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of El Salvador on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of the United States Tariff Act of 1930.

## ARTICLE VII

1. If the Government of the United States of America or the Republic of El Salvador establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which

*Post*, p. 1572.

*Post*, p. 1571.  
Exceptions.

Notice of proposed restriction.

U. S. pure food and drug laws not affected.

46 Stat. 703.  
19 U. S. C. § 1337.

Action where a lower rate is imposed on portion of imports, etc.

has been imported or sold or for which licenses or permits for importation or sale have been granted.

Import licenses, etc.

2. Neither the United States of America nor the Republic of El Salvador shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

#### ARTICLE VIII

Treatment of Government monopolies.

In the event that the Government of the United States of America or the Government of the Republic of El Salvador establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

#### ARTICLE IX

Control of foreign exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of El Salvador to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration of representations with respect to application of Article.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article, and if, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

## ARTICLE X

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or by the Republic of El Salvador to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of El Salvador or the United States of America, respectively.

Extension of advantages, etc., granted another country.

## ARTICLE XI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of El Salvador, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Publication of laws, regulations, and decisions.

No administrative ruling by the United States of America or the Republic of El Salvador effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

Not retroactive, etc.

Anti-dumping duties.

## ARTICLE XII

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of El Salvador, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

Modification where exchange rate prejudicial.

## ARTICLE XIII

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of El Salvador upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin.

Documentation errors.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Govern-

Mutual consideration respecting customs, etc.

ment may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

ARTICLE XIV

Provisions not to apply to Philippine Islands, etc.

Preferential treatment extended to territories, etc., of each other.  
*Anie*, p. 1569.

Canal Zone excluded.

Adjacent countries.

Exceptions.

Philippine Islands.

Commerce of El Salvador with Costa Rica, etc.

Police and sanitary regulations.

Gold or silver exportation.

Traffic in arms, etc.

Adoption of measures impairing Agreement; adjustment.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or by the Republic of El Salvador, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Subject to the reservations set forth in the third, fourth, and fifth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or of the Republic of El Salvador, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America or by the Republic of El Salvador to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Republic of El Salvador may become a party, shall be excepted from the operation of this Agreement.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

The advantages now accorded or which may hereafter be accorded by the Republic of El Salvador to the commerce of Costa Rica, Guatemala, Honduras, Nicaragua or Panama, so long as any special treatment accorded to the commerce of those countries or any of them by the Republic of El Salvador is not accorded to any other country, shall be excepted from the operation of this Agreement.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

ARTICLE XV

In the event that the Government of the United States of America or the Government of El Salvador adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

## ARTICLE XVI

Nothing in this Agreement shall be deemed to affect the rights and obligations arising out of the Treaty of Friendship, Commerce and Consular Rights signed at San Salvador on February 22, 1926.

Agreement not to  
affect Treaty of  
Friendship, etc.  
46 Stat. 2817.

## ARTICLE XVII

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of El Salvador, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VI, Article IX, or Article XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Effective date.

Duration.  
*Anie.* pp. 1566, 1568,  
1569.

Termination.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VI, Article IX, or Article XII, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Signatures.

Done in quadruplicate: two copies in English and two in Spanish, all four authentic, at the City of San Salvador this nineteenth day of February, nineteen hundred and thirty-seven.

For the President of the United States of America:

[SEAL] FRANK P CORRIGAN

For the President of the Republic of El Salvador:

[SEAL] MIGUEL ANGEL ARAUJO

## SCHEDULE I

Schedule I.

Salvadoran Tariff Item Number	Description of Articles	Maximum Rates of Duty in U. S. Dollars	
NOTE:			
The provisions of this Schedule will be interpreted as though they had been included in the current Salvadoran Tariff Law by an amendment to that law.			
Abbreviations:			
G. K.=Gross Kilo			
M Bd. Ft.=1000 Board Feet.			
211-1-03-003	Ham, except canned ham	100 G. K.	12 00
Ex211-1-04-002	Pork, preserved or prepared in any form, with or without vegetables, in hermetically sealed containers	100 G. K.	29 29
Ex211-4-03-001	Canned mackerel	100 G. K.	5 00
211-4-03-004	Canned salmon	100 G. K.	5 00
212-1-07-001	Wheat, in its natural state:		
	Until and including December 31, 1937	100 G. K.	5 00
	After December 31, 1937	100 G. K.	5 20
Ex212-3-01-001	Oatmeal, rolled oats and other oat food preparations	100 G. K.	4 40
Ex212-5-01-001	Fresh fruits: apples, pears and grapes	100 G. K.	2 50
Ex212-5-02-001	Dried and evaporated fruits: prunes and raisins	100 G. K.	5 00

Schedule I—Continued.

## SCHEDULE I—Continued

Salvadoran Tariff Item Number	Description of Articles	Maximum Rates of Duty in U. S. Dollars	
Ex214-1-04-001	Canned vegetables: asparagus, peas,	100 G. K.	6. 00
Ex214-1-10-001	corn, tomatoes and tomato juice		
Ex214-1-09-001	Canned fruit: peaches, pears, and salad		
Ex214-1-03-001	or mixed fruits, in water or juice, with or without sugar, cooked or not	100 G. K.	7. 50
214-2-03-001	Soda and other similar crackers, of wheat or not	100 G. K.	8. 80
331-1-02-001	Sawed wood in pieces, including	M Bd. Ft.	6. 00
331-1-03-001	boards, planks and beams, planed or not, for any purpose		
441-1-01-001	Leather not specified, tanned by any process, dyed, dressed or polished, including calf skin	100 G. K.	35. 00
441-1-02-001	Patent leather	100 G. K.	35. 00
441-1-03-001	Chamois, leather prepared like cham- ois, deer or elk skin	100 G. K.	35. 00
441-1-04-001	Tanned goatskin, morocco, and kid leather	100 G. K.	35. 00
471-1-03-002	Rubber tires, not specified	100 G. K.	10. 40
471-1-03-003	Rubber tires for automobiles (in- cluding passenger cars, trucks and busses) and airplanes	100 G. K.	10. 40
471-1-03-004	Rubber tires for motorcycles and bicycles	100 G. K.	10. 40
471-1-03-005	Inner tubes of any kind and for any purpose	100 G. K.	10. 40
471-1-04-001	Rubber hose and heavy rubber tub- ing, plain, reinforced with canvas or metal, with or without metallic accessories	100 G. K.	10. 40
494-1-04-004	Phonograph records	100 G. K.	18. 60

NOTE: Pharmaceutical specialties or patent medicines produced in the United States of America shall be accompanied, on their importation into the Republic of El Salvador, by a sanitary certificate, duly authenticated by a Salvadoran Consul, issued by a Chamber of Commerce or some similar agency, or by a Board of Health or some similar organization, of the state or city in the United States of America in which the manufacturer maintains his commercial domicile.

Schedule II.

## SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Maximum rates of duty. Specific rate in United States dollars
10	Balsam, Peru, natural and uncompounded, and not containing alcohol	5% ad valorem
716	Honey	0.02 per pound
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulp	28% ad valorem
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1738	Tortoise shell, not sawed, cut, flaked, polished, or otherwise manufactured, or advanced in value from the natural state	Free
1765	Deerskins, raw	Free
1765	Reptile skins, raw	Free

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles



## CONVENIO COMERCIAL CELEBRADO ENTRE LOS ESTADOS UNIDOS DE AMERICA Y EL SALVADOR 1937

El Presidente de los Estados Unidos de América y el Presidente de la República de El Salvador, deseosos de estrechar los vínculos de amistad entre ambos países por medio del mantenimiento del principio de igualdad de trato como base de relaciones comerciales y por la concesión de ventajas mutuas y recíprocas para la promoción del comercio, han decidido concluir un Convenio Comercial y para ese fin han designado sus Plenipotenciarios, así:

El Presidente de los Estados Unidos de América, al Señor Doctor Don Frank Patrick Corrigan, su Enviado Extraordinario y Ministro Plenipotenciario cerca de la República de El Salvador;

El Presidente de la República de El Salvador, al Señor Doctor Don Miguel Angel Araujo, Secretario de Estado en el Despacho de Relaciones Exteriores,

Quienes, después de haber canjeado sus plenos poderes, y de encontrarlos en buena y debida forma, han convenido en los siguientes artículos:

### ARTICULO I

Los artículos cosechados, producidos o fabricados en los Estados Unidos de América, enumerados y descritos en la Lista I, anexa a este Convenio, y del cual es parte integrante, serán eximidos, a su importación en la República de El Salvador, de los derechos aduaneros ordinarios que excedan a los especificados en dicha Lista. También a dichos artículos se les concederá exención de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones sobre o relacionados con las importaciones, que sean en exceso de los que rigen en el día de la firma de este Convenio o de los que han de regir en lo sucesivo conforme a las leyes de la República de El Salvador vigentes en el día de la firma de este Convenio.

### ARTICULO II

Los artículos cosechados, producidos o fabricados en la República de El Salvador, enumerados y descritos en la Lista II, anexa a este Convenio, y del cual es parte integrante, serán eximidos, a su importación en los Estados Unidos de América, de los derechos aduaneros ordinarios que excedan a los especificados en dicha Lista. También a dichos artículos se les concederá exención de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones, sobre o relacionados con las importaciones, que sean en exceso de los que rigen en el día de la firma de este Convenio o de los que han de regir en lo sucesivo conforme a las leyes de los Estados Unidos de América, vigentes en el día de la firma de este Convenio.

Mientras estén vigentes las disposiciones sobre cuotas de la llamada "Ley para incluir remolachas y caña de azúcar como artículos agrícolas básicos, conforme la Ley sobre Arreglo Agrónomo, y para otros propósitos", aprobada por el Presidente de los Estados Unidos el 9 de mayo de 1934, modificada y prorrogada por la Resolución Pública No. 109, aprobada el 19 de junio de 1936, o las disposiciones sobre cuotas de cualquiera ley parecida que también establezcan que no se cargue a la cuota de cualquier país el azúcar que tenga descuento o devolución (drawback) en los derechos de dicho país, cualquier azúcar importado a los Estados Unidos de América de la República de El Salvador, con respecto al cual esté permitido un descuento o devolución (drawback) de derechos de aduana, bajo las disposiciones de la Sección 313 del Tariff Act of 1930, no será cargado en la cuota establecida por el Secretario de Agricultura de los Estados Unidos de América para la República de El Salvador.

## ARTICULO III

Los Estados Unidos de América y la República de El Salvador convienen en dar a las notas incluidas en las Listas I y II, fuerza y efecto como partes integrantes de este Convenio.

## ARTICULO IV

Los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de El Salvador estarán exentos, después de su importación en el otro país, de impuestos, contribuciones, cargas o exacciones internas, distintos o mayores que los pagaderos sobre análogos artículos de origen nacional o de cualquier otro origen extranjero.

## ARTICLE V

Con respecto a los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de El Salvador enumerados y descritos en las Listas I y II, respectivamente, que se importen en el otro país, sobre los cuales se imponen o se impusieren derechos *ad valorem*, o derechos basados sobre el valor o determinados de cualquier manera por él, se entiende y se conviene que las bases y los métodos para determinar el monto imponible y para hacer la conversión de la moneda, no serán, de ninguna manera, menos favorables a los importadores que las bases y los métodos prescritos por las leyes y reglamentos de la República de El Salvador y de los Estados Unidos de América, respectivamente, vigentes en el día de la firma de este Convenio.

## ARTICULO VI

1. Los Estados Unidos de América no impondrá prohibición alguna, ni cuotas de importación o aduaneras, permisos de importación o cualquiera otra forma de régimen cuantitativo, sea que éste opere o no en conexión con agencias de control centralizado, sobre la importación o venta de ningún artículo cosechado, producido o fabricado en la República de El Salvador, enumerado y descrito en la Lista II; ni la República de El Salvador impondrá clase alguna de prohibiciones, cuotas de importación o aduaneras, permisos de importación o cualquiera otra forma de régimen cuantitativo, sea que éste opere o no en conexión con agencias de control centralizado, sobre la importación o venta de ningún artículo cosechado, producido o fabricado en los Estados Unidos de América, enumerado y descrito en la Lista I.

2. La disposición precedente no se aplicará a:

a) Las prohibiciones o restricciones: 1) con finalidades morales o humanitarias; 2) destinadas a la protección de la vida humana, animal o vegetal; 3) relativas a efectos fabricados en prisiones; 4) relativas al cumplimiento de leyes policíacas o fiscales; ni a

b) Las restricciones cuantitativas en cualquier forma impuestas por los Estados Unidos de América o por la República de El Salvador sobre importación o venta de cualquier artículo cosechado, producido o fabricado en el otro país, en conexión con medidas gubernativas destinadas a regularizar o controlar la producción, el abastecimiento del mercado, o los precios de artículos nacionales análogos, o tendientes a aumentar el costo del trabajo de producción de dichos artículos. En caso de que el Gobierno de uno u otro de los dos países se proponga establecer o modificar cualquiera restricción autorizada por este inciso, dará aviso de ello al otro Gobierno, por escrito, y comunicará también, a éste, la oportunidad, dentro de treinta días después del recibo de dicho aviso, para consultar con él respecto a la acción propuesta; y si no se llega a un acuerdo con respecto a esa acción dentro

de treinta días después del recibo del aviso mencionado, el Gobierno que se proponga iniciar tal acción, tendrá la libertad de realizarla en cualquier momento, y el otro Gobierno podrá, dentro de los quince días de consumada la acción, quedar también en libertad de dar por terminado este Convenio, por completo, previo aviso, por escrito, con treinta días de anticipación.

3. Queda convenido que las disposiciones de este Artículo no afectan la aplicación de medidas dirigidas contra la falsificación de marcas, adulteración y otras prácticas fraudulentas, tales como las que se prescriben en las leyes de alimentos y drogas de los Estados Unidos de América, ni la aplicación de medidas dirigidas contra prácticas injustas en el comercio de importación, como las prescritas en la Sección 337 de la Ley Arancelaria de 1930 de los Estados Unidos de América.

#### ARTICULO VII

1. Si el Gobierno de los Estados Unidos de América o el de la República de El Salvador establece o mantiene cualquiera clase de restricción cuantitativa o de control sobre la importación o venta de cualquier artículo en el cual el otro país esté interesado, o impone una tasa o contribución más baja sobre la importación o venta de una cantidad determinada de ese artículo que la tarifa o contribución que esté establecida sobre importaciones que sean en exceso de tal cantidad, el Gobierno que así actúe deberá:

a) Dar aviso público de la cantidad total o de cualquier cambio en ella en cuanto a cualquiera de dichos artículos cuya venta o importación sea permitida o los cuales puedan ser importados o vendidos con tal rebaja de tarifa durante un determinado período;

b) Asignar al otro país durante ese determinado período una porción de aquella cantidad total, tal como ésta hubiera sido originalmente establecida o como se hubiera modificado posteriormente en algún modo, equivalente a la proporción de la importación total de ese artículo que ese otro país haya estado proveyendo durante un período representativo anterior, a menos que se convenga mutuamente dispensar tal asignación; y

c) Dar aviso público de la asignación hecha entre los diversos países exportadores, y en todo momento, informar al Gobierno del otro país, al requerirlo, acerca de la cantidad de cualquier artículo de los cosechados, producidos o fabricados que haya sido importada o vendida, correspondiente a cada país exportador, o por la cual se hubiera otorgado a éstos autorización o permiso de importar o vender.

2. Ni los Estados Unidos de América ni la República de El Salvador regulará la cantidad total de importaciones a su territorio o de ventas en el mismo por medio de autorizaciones o permisos de importación emitidos a favor de individuos u organizaciones, de ningún artículo en que el otro país esté interesado, a menos que la cantidad total de dicho artículo cuya importación o venta se permita durante un período de cuota no menor de tres meses, haya sido establecida y a menos que los reglamentos a que esté sujeta la emisión de tales autorizaciones o permisos hayan sido hechos públicos antes de entrar en vigencia.

#### ARTICULO VIII

En caso que el Gobierno de los Estados Unidos de América o el Gobierno de la República de El Salvador establezca o mantenga monopolio oficial para la importación, producción o venta de determinado artículo u otorgue derechos exclusivos, de hecho o de derecho, a una o más agencias para la importación, producción y venta de determinado artículo, el Gobierno del país que establezca o mantenga dicho monopolio o que otorgue tales privilegios de monopolio, se

compromete, con respecto a las compras extranjeras de tal monopolio o agencias, a tratar al comercio del otro país imparcial y equitativamente. A este fin se conviene en que, al efectuar en el extranjero sus compras de cualquier producto, tal monopolio o agencias se regirán solamente por tales consideraciones de precio, calidad, posibilidades y condiciones de venta, que tomaría en cuenta ordinariamente una empresa privada comercial interesada solamente en comprar tal producto bajo las condiciones más favorables.

#### ARTICULO IX

Los Estados Unidos de América y la República de El Salvador se conceden mutuamente las ventajas aduaneras y demás beneficios estipulados en este Convenio, sujetos a la condición de que si el Gobierno de uno u otro país estableciere o mantuviere directa o indirectamente cualquiera forma de control sobre el cambio extranjero, administrará tal control de manera que los nacionales y el comercio del otro país tengan la seguridad de que les corresponda una porción justa y equitativa en la asignación del cambio.

Respecto al cambio aprovechable para las transacciones comerciales, se acuerda que el Gobierno de uno u otro país se regirá en la administración de cualquier forma de control sobre el cambio por el principio de que, lo más aproximadamente posible, la porción del total de cambio disponible que se asigne al otro país no será menor que la porción empleada en un período representativo anterior al establecimiento de cualquier control de cambio, para la liquidación de obligaciones comerciales a favor de nacionales de tal otro país.

El Gobierno de cada país prestará consideración amistosa a cualesquiera representaciones que pueda hacer el otro Gobierno respecto a la aplicación de las disposiciones de este artículo; y si, dentro de treinta días a partir del recibo de tales representaciones, no se hubiere llegado a una solución satisfactoria ni a un acuerdo con respecto a ellas, el Gobierno que haya iniciado las mismas, puede, dentro de los quince días siguientes a la expiración del citado período de treinta días, poner fin a este Artículo o a este Convenio en su totalidad previo aviso por escrito con treinta días de anticipación.

#### ARTICULO X

En lo concerniente a derechos aduaneros o gravámenes de cualquier clase, impuestos sobre o en relación con importaciones o exportaciones, y con respecto al método de aplicación de tales derechos o gravámenes, lo mismo que en lo referente a todos los reglamentos y formalidades relacionados con la importación o exportación, y con respecto a todas las leyes o reglamentos que afecten la venta o uso dentro del país, de las mercaderías importadas, cualquier ventaja, favor, privilegio o inmunidad que haya sido o que en lo adelante pueda ser concedido por los Estados Unidos de América o por la República de El Salvador a cualquier artículo originario de, o destinado a un tercer país, deberá ser acordado inmediata e incondicionalmente al artículo análogo originario de o destinado a la República de El Salvador o a los Estados Unidos de América, respectivamente.

#### ARTICULO XI

Las leyes, los reglamentos de las autoridades administrativas y las decisiones de las autoridades administrativas o judiciales de los Estados Unidos de América o de la República de El Salvador, respectivamente, relativos a la clasificación de artículos para fines aduaneros o tasa de derechos, se publicarán en forma tal que los comerciantes puedan oportunamente enterarse de ellos. Tales leyes, reglamentos

y decisiones de aplicarán con uniformidad en todos los puertos del país respectivo, excepto las disposiciones específicas contenidas en estatutos de los Estados Unidos de América en cuanto se refieren a artículos importados a Puerto Rico.

Ningún decreto administrativo promulgado por los Estados Unidos de América o por la República de El Salvador que aumente la tasa de derechos o las cargas aplicables en conformidad con una práctica uniforme establecida sobre importaciones originarias del territorio del otro país, o que exija algún nuevo requisito para tales importaciones, tendrá efecto retroactivo; asimismo no deberá aplicarse tal disposición a artículos introducidos al país o retirados de la Aduana para el consumo con anterioridad a la expiración de un plazo de treinta días a contar de la fecha de publicación del aviso de tal decreto en la forma oficial acostumbrada. Las disposiciones de este párrafo no son aplicables a órdenes administrativas que establezcan derechos contra el "dumping", ni a las que se refieran a disposiciones para la protección de la vida humana, animal o vegetal, a la seguridad pública, o que den efecto a sentencias judiciales.

#### ARTICULO XII

En caso de gran fluctuación en el tipo de cambio entre la moneda de los Estados Unidos de América y la de la República de El Salvador, el Gobierno de cualquiera de las Partes Contratantes, si estimare dicha fluctuación de tal grado que perjudicare las industrias o el comercio de su país, estará en libertad para iniciar gestiones tendientes a modificar este Convenio, o para poner fin al mismo en su totalidad, previo aviso por escrito con treinta días de anticipación.

#### ARTICULO XIII

No se impondrán en los Estados Unidos de América ni en la República de El Salvador, sobre la importación de artículos cosechados, producidos, manufacturados o fabricados en el otro país, más que multas nominales con motivo de errores de documentación que patentemente se deban a la simple escritura, o sean *lapsus plumae* o *lapsus machinae*.

El Gobierno de cada una de las Partes Contratantes prestará oportuna consideración amistosa a las representaciones que el otro Gobierno pueda hacerle respecto al funcionamiento de las disposiciones aduaneras, restricciones cuantitativas o la administración de las mismas, cumplimiento de formalidades aduaneras y aplicación de leyes sanitarias y reglamentaciones para la protección de la vida humana, animal o vegetal.

#### ARTICULO XIV

Con excepción de lo estipulado en contrario en el segundo párrafo de este artículo, las disposiciones del presente Convenio referentes al tratamiento otorgado por los Estados Unidos de América o por la República de El Salvador, respectivamente, al comercio del otro país, no serán aplicables a las Islas Filipinas, las Islas Vírgenes, la Samoa americana, la Isla Guam ni a la Zona del Canal de Panamá.

Con sujeción a las reservas expresadas en los párrafos tercero, cuarto, y quinto de este Artículo, las estipulaciones del Artículo X serán aplicables a artículos cosechados, producidos o fabricados en cualquier territorio bajo la soberanía o jurisdicción de los Estados Unidos de América o de la República de El Salvador, importados de o exportados a cualquier territorio bajo la soberanía o jurisdicción del otro país. Es entendido, sin embargo, que las disposiciones de este párrafo no son aplicables a la Zona del Canal de Panamá.

Las ventajas que se extienden o que puedan ser extendidas por los Estados Unidos de América o por la República de El Salvador a países contiguos para facilitar el tráfico fronterizo, y las ventajas obtenidas de una unión aduanera de la cual los Estados Unidos de América o la República de El Salvador puedan formar partes, serán exceptuadas de este Convenio.

Las ventajas ahora extendidas o que puedan extenderse en lo sucesivo por los Estados Unidos de América, sus territorios y posesiones o la Zona del Canal de Panamá entre sí, o a la República de Cuba, se exceptuarán de este Convenio. Las disposiciones de este párrafo continuarán en vigor con respecto a cualquiera ventaja extendida o que pueda extenderse en lo sucesivo por los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, a las Islas Filipinas, prescindiendo de cualquier cambio en el status político de las Islas Filipinas.

Se exceptuarán de los efectos de este Convenio las ventajas acordadas o que después acuerde la República de El Salvador al comercio de Costa Rica, Guatemala, Honduras, Nicaragua y Panamá mientras tales ventajas no se concedan a cualquier otro país.

Salvo específicas disposiciones en contrario de este Convenio, las estipulaciones del mismo no se interpretarán como aplicables a los reglamentos sanitarios y policíacos y nada de este Convenio se interpretará como contrario a la adopción de medidas que prohiban o restrinjan la exportación de oro o plata, ó a la adopción de las medidas que cualquiera de los Gobiernos contratantes crea necesarias para controlar la exportación o venta de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material necesario para la guerra.

#### ARTICULO XV

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de la República de El Salvador adopte medida alguna que, aun cuando no esté en conflicto con los términos de este Convenio, según la opinión del Gobierno del otro país, tenga el efecto de invalidar o perjudicar cualquiera finalidad de este Convenio, el Gobierno que haya adoptado tal medida considerará las representaciones y proposiciones que el otro Gobierno pueda hacer con el objeto de efectuar un arreglo mutuamente satisfactorio de ese asunto.

#### ARTICULO XVI

Nada de lo expresado en este Convenio se interpretará de tal manera que afecte los derechos y las obligaciones provenientes del Tratado de Amistad, Comercio y Prerrogativas Consulares entre los Estados Unidos de América y la República de El Salvador firmado en la ciudad de San Salvador a los veintidós días del mes de febrero de mil novecientos veintiséis.

#### ARTICULO XVII

El presente Convenio entrará en pleno vigor el trigésimo día después de la proclamación del mismo por el Presidente de los Estados Unidos de América y por el Presidente de la República de El Salvador o en el caso de que las proclamaciones fueran promulgadas en diferentes fechas, el trigésimo día después de la fecha de la última proclamación; y quedará en vigor durante los tres años subsiguientes, a menos que sea terminado antes de acuerdo con las disposiciones de los Artículos VI, IX o XII. El Gobierno de cada una de las Partes Contratantes notificará al Gobierno de la otra Parte la fecha de su proclamación.

A no ser que por lo menos seis meses antes de la terminación del precitado plazo de tres años el Gobierno de uno u otro de los dos países le haya notificado al otro su intención de terminar el Convenio al cumplirse el antedicho plazo, el Convenio quedará en vigor después de tal fecha, sujeto a ser terminado de acuerdo con las disposiciones de los Artículos VI, IX o XII hasta seis meses a partir de la fecha en que el Gobierno de uno u otro país haya notificado esa determinación al otro Gobierno.

En testimonio de lo cual los respectivos Plenipotenciarios firman y sellan este Convenio.

Hecho en cuadruplicado: dos ejemplares en español y dos en inglés, los cuatro auténticos, en la ciudad de San Salvador, a los diez y nueve días del mes de febrero de mil novecientos treinta y siete.

Por el Presidente de la República de los Estados Unidos de América:

[SEAL] FRANK P CORRIGAN

Por el Presidente de la República de El Salvador:

[SEAL] MIGUEL ANGEL ARAUJO

### LISTA I

Nº de la partida de la  
Tarifa de Aforos de la  
República de El Sal-  
vador.

Descripción de Artículos

Tarifa Máxima en dollars  
americanos.

#### NOTA:

Las estipulaciones de esta Lista se interpretarán como si estuvieran incluidas en la Tarifa de Aforos vigente de El Salvador como una enmienda a dicha Tarifa.

#### Abreviaciones:

K. B. — Kilo Bruto

B. M. — "Board Measure".

211-1-03-003	Jamón, con excepción de jamón en latas	100 K. B.	12. 00
Ex211-1-04-002	Carne de puerco preservada o preparada en cualquier forma, con o sin legumbres, en latas herméticamente cerradas	100 K. B.	29. 29
Ex211-4-03-001	Macarela en latas	100 K. B.	5. 00
211-4-03-004	Salmón en latas	100 K. B.	5. 00
212-1-07-001	Trigo en su estado natural:		
	Hasta e incluyendo el 31 de diciembre de 1937	100 K. B.	5. 00
	Después del 31 de diciembre de 1937	100 K. B.	5. 20
Ex212-3-01-001	Avena triturada, perlada o machacada y en sus otras distintas preparaciones alimenticias	100 K. B.	4. 40
Ex212-5-01-001	Frutas frescas: manzanas, peras y uvas	100 K. B.	2. 50
Ex212-5-02-001	Frutas secas y evaporadas: ciruelas y pasas	100 K. B.	5. 00
Ex214-1-04-001	Legumbres en latas: espárragos, guisantes, maíz, tomates y jugo de tomates	100 K. B.	6. 00
Ex214-1-03-001	Frutas conservadas: duraznos, peras y frutas para ensaladas o frutas mezcladas, en agua o en su jugo, con o sin azúcar, cocidas o no	100 K. B.	7. 50
Ex214-1-09-001	Galletas de soda u otras sumejantes, sean de trigo o no	100 K. B.	8. 80
214-2-03-001	Madera aserrada, en piezas, inclusive tablas, tablones, tablitas y vigas, acepilladas o no, propias para cualquier uso	Mil Pies B. M.	6. 00

## LISTA I—Continúa

Nº de la partida de la Tarifa de Aforos de la República de El Salvador.	Descripción de Artículos	Tarifa	Máxima en dollars americanos.
441-1-01-001	Cueros no especificados, curtidos por cualquier procedimiento, teñidos, adobados o pulidos, inclusive becerro.....	100 K. B.	35. 00
441-1-02-001	Charol.....	100 K. B.	35. 00
441-1-03-001	Cueros agamuzados, gamuza, venado y ante.....	100 K. B.	35. 00
441-1-04-001	Piel de cabra curtida, tafilete y cabritilla.....	100 K. B.	35. 00
471-1-03-002	Lantas de caucho, no especificadas...	100 K. B.	35. 00
471-1-03-003	Llantas de caucho para automoviles (inclusive carros de pasajeros, camiones y ómnibuses) y aeroplanos...	100 K. B.	10. 40
471-1-03-004	Llantas de caucho para motocicletas y bicicletas.....	100 K. B.	10. 40
471-1-03-005	Neumáticos interiores (cámaras de aire) de cualquier clase y para todo uso.....	100 K. B.	10. 40
471-1-04-001	Mangueras y tubos gruesos de caucho, sencillos, reforzados con lona o metal, con o sin accesorios metálicos...	100 K. B.	10. 40
494-1-04-004	Discos de fonógrafo.....	100 K. B.	18. 60

## NOTA:

Las especialidades farmacéuticas o medicinas de patente producidas en los Estados Unidos de América deberán venir para su importación en la República de El Salvador amparadas con un certificado de sanidad, debidamente autenticado por un Cónsul de El Salvador, expedido por una Cámara de Comercio u otra entidad semejante o por una Oficina como el "Board of Health" u otra similar del Estado o ciudad donde el fabricante tenga en aquella nación su domicilio comercial.

## LISTA II

Párrafos de la Ley de Arancel de 1930 de los Estados Unidos de América.	Descripción de Artículos	Tarifa Máxima en derechos. Derecho específico en dollars de los Estados Unidos de América.
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## NOTA:

las disposiciones de esta lista serán interpretadas y tendrán el mismo efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América será determinada, en cuanto fuere posible, como si cada disposición de esta lista apareciera respectivamente en el párrafo de la ley de arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.

10	Bálsamo, Perú, natural y no preparado y que no contiene alcohol.....	5% ad valorem
716	Miel de abeja.....	.02 por libra
752	Guayabas preparadas o conservadas, y no especialmente estipuladas.....	17½% ad valorem
752	Pastas y pulpas de mango, y pastas y pulpas de guayaba.....	28% ad valorem
1653	Granos de cocoa o cacao, y las cáscaras de éstos.....	Libre
1654	Café, salvo café importado a Puerto Rico y sobre el cual está impuesto un derecho bajo la autoridad de Sección 319.....	Libre
1738	Carey, sin aserrar, cortar, escamar, pulimentar, ni manufacturar de cualquier otra manera, y sin más valor que el de su estado natural.....	Libre
1765	Pieles de venado, sin curtir.....	Libre
1765	Pieles de reptiles, sin curtir.....	Libre



WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Modifications, etc.

WHEREAS it is stipulated in Article XVII of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of El Salvador, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations;

*Ante*, p. 1571.

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of El Salvador on April 30, 1937;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after May 31, 1937, the thirtieth day following May 1, 1937, the date of this my proclamation of the said Agreement.

Proclamation.

48 Stat. 943.  
19 U. S. C. § 1351.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

48 Stat. 943.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May in the year of our Lord one thousand nine hundred and thirty-seven and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

November 28, 1936  
[E. A. S. No. 102]

*Agreement between the United States of America and Costa Rica respecting reciprocal trade. Signed at San José, November 28, 1936; proclaimed by the President of the Republic of Costa Rica, July 2, 1937; proclaimed by the President of the United States, July 3, 1937; effective, August 2, 1937.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Reciprocal trade  
agreement with Costa  
Rica.  
48 Stat. 943.  
19 U. S. C. § 1351.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "An Act To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provi-  
sions.

"Sec. 350 (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Costa Rica are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Costa Rica;

Promotion of foreign trade.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

48 Stat. 943.  
19 U. S. C. § 1351.

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on November 28, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Costa Rica, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Trade agreement entered into.

TRADE AGREEMENT BETWEEN  
THE UNITED STATES OF  
AMERICA AND THE REPUBLIC  
OF COSTA RICA

CONVENIO COMERCIAL ENTRE  
LOS ESTADOS UNIDOS DE  
AMÉRICA Y LA REPÚBLICA DE  
COSTA RICA

The President of the United States of America and the President of the Republic of Costa Rica, desiring to strengthen the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal advantages for the promotion of trade, have decided to conclude a trade agreement and for that purpose have appointed their Plenipotentiaries as follows:

The President of the United States of America: Leo R. Sack, Envoy Extraordinary and Minister Plenipotentiary to Costa Rica.

The President of the Republic of Costa Rica: his Secretary of the Interior, Acting Secretary of Foreign Relations, Licentiate Luis Fernández Rodríguez.

Who, after having exchanged their full powers, found to be in

El Presidente de los Estados Unidos de América y el Presidente de la República de Costa Rica, deseosos de estrechar los vínculos de amistad entre ambos países por el mantenimiento del principio de igualdad de trato como base de relaciones comerciales y por la concesión de ventajas mutuas y recíprocas para la promoción del comercio, han decidido concluir un Convenio Comercial y para ese fin han designado sus Plenipotenciarios, así:

Purposes declared.

El Presidente de los Estados Unidos de América, a su Enviado Extraordinario y Ministro Plenipotenciario en San José, Leo R. Sack.

Plenipotentiaries.

El Presidente de la República de Costa Rica, a su Secretario de Estado en el Despacho de Gobernación encargado del de Relaciones Exteriores, Licenciado Luis Fernández Rodríguez;

Quienes, después de haber canjeado sus plenos poderes, y de en-

good and due form, have agreed upon the following Articles:

contrarlos en buena y debida forma, han convenido en los siguientes artículos:

### ARTICLE I

### ARTÍCULO I

Enumerated imports into Costa Rica.

*Post*, p. 1595.

No excess duties, etc.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Costa Rica, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of Costa Rica in force on the day of the signature of this Agreement.

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Lista I, anexa a este Convenio, del cual forma parte, se eximirán, al ser importados en la República de Costa Rica, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones mayores a los que rijan al día de la firma de este Convenio con respecto a la importación, o cuya imposición posterior requieran leyes vigentes en la República de Costa Rica el día de la firma de este Convenio.

### ARTICLE II

### ARTÍCULO II

Specified imports from Costa Rica.

*Post*, p. 1598.

No excess duties, etc.

Articles the growth, produce or manufacture of the Republic of Costa Rica, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

Los artículos cultivados, producidos o manufacturados en la República de Costa Rica, enumerados y descritos en la Lista II anexa a este Convenio del cual forma parte, se eximirán al ser importados en los Estados Unidos de América, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones mayores a los que rijan al día de la firma de este Convenio con respecto a la importación o cuya imposición posterior requieran leyes vigentes en los Estados Unidos de América el día de la firma de este Convenio.

### ARTICLE III

### ARTÍCULO III

Notes in schedules considered part of Agreement.

*Post*, pp. 1595, 1598.

The United States of America and the Republic of Costa Rica agree that the notes included in Schedules I and II, respectively, are hereby given force and effect as integral parts of this Agreement.

Los Estados Unidos de América y la República de Costa Rica convienen en dar a las notas que forman parte de las Listas I y II, respectivamente, fuerza y efecto como partes integrantes de este Convenio.

## ARTICLE IV

Articles the growth, produce or manufacture of the United States of America, or the Republic of Costa Rica, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions, other or higher than those payable on like articles of national origin or any other foreign origin.

## ARTÍCULO IV

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República de Costa Rica, después de su importación en el otro país, estarán exentos de cualesquiera impuestos, contribuciones, cargas o exacciones internas, diferentes o mayores que los pagaderos sobre artículos análogos de origen nacional o de cualquier otro origen extranjero.

Internal tax exemption.

## ARTICLE V

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Costa Rica, enumerated and described in Schedules I and II, respectively, imported into the other country, on which *ad valorem* rates of duty or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of Costa Rica and the United States of America, respectively, in force on the day of the signature of this Agreement.

## ARTÍCULO V

En cuanto a los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República de Costa Rica, enumerados y descritos en las Listas I y II, respectivamente, sobre los cuales, al importarse del uno al otro país, se imponen o se impusieren derechos *ad valorem* o derechos basados sobre o regidos de algún modo por el valor, se entiende y conviene que las bases y métodos para determinar el valor imponible y la conversión de monedas, no serán menos favorables a los importadores que las bases y métodos establecidos por las leyes y reglamentos de la República de Costa Rica y de los Estados Unidos de América, respectivamente, vigentes el día de la firma de este Convenio.

Ad valorem duties. Determination, etc., of rates.

## ARTICLE VI

1. The Republic of Costa Rica will not impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, nor will the United States of America impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importa-

## ARTÍCULO VI

1. La República de Costa Rica no impondrá prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control centralizado, sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, que se enumeran y describen en la Lista I; ni los Estados Unidos de América impondrán prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control cen-

No quantitative regulation.

Post, p. 1595.

tion or sale of any article the growth, produce or manufacture of the Republic of Costa Rica, enumerated and described in Schedule II.

*Post*, p. 1598.

Exceptions.

2. The foregoing provision shall not apply to:

(a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws; or to

(b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of Costa Rica, on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Notice of proposed restriction, etc.

Right to terminate.

Fraudulent practices.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for

tralizado sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en la República de Costa Rica, enumerados y descritos en la Lista II.

2. No se aplicará la estipulación anterior a:

a) Prohibiciones o restricciones impuestas: 1) Con fundamentos morales o humanitarios; 2) Encaminados a proteger la vida humana, animal o vegetal; 3) Relativas a efectos fabricados en prisiones; o 4) Relativas al cumplimiento de leyes policíacas o fiscales; ni a

b) Restricciones cuantitativas de cualquier forma sobre importación o venta de artículo alguno cultivado, producido o manufacturado en uno u otro país, impuestas, por los Estados Unidos de América o por la República de Costa Rica en conexión con medidas gubernativas encaminadas a regir o controlar la producción, el abastecimiento del mercado, o los precios de artículos nacionales análogos, o tendientes a aumentar el costo del trabajo de producción de tales artículos. En caso de que el Gobierno de uno u otro país se proponga establecer o cambiar cualquier restricción autorizada en este inciso, lo notificará por escrito al otro Gobierno y le dará oportunidad para que dentro de treinta días del recibo de la notificación trate con él acerca de la acción propuesta; y si dentro de los treinta días siguientes al recibo de aquella notificación, no se llegare a un acuerdo respecto del asunto, el Gobierno que se proponga iniciar tal acción quedará en libertad de obrar en cualquier tiempo, y el otro Gobierno, dentro de los quince días de consumada la acción, queda también en libertad de dar por terminado todo este Convenio, a los treinta días de notificarlo por escrito.

3. Queda entendido que las estipulaciones de este artículo no afectan la aplicación de medidas dirigidas contra falsos marbetes, adulteración y otras prácticas fraudulentas, como las estable-

in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of the United States Tariff Act of 1930.

#### ARTICLE VII

1. If the Government of the United States of America or the Government of the Republic of Costa Rica establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times, upon request, advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country, which has been imported or sold or for which licenses or permits for importation or sale have been granted.

cidas en las leyes de alimentos y drogas de los Estados Unidos de América; ni la aplicación de medidas encaminadas contra prácticas desleales en el comercio de importación, como las previstas en la Sección 337 de la Ley de Tarifas de 1930 de los Estados Unidos.

#### ARTÍCULO VII

1. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República de Costa Rica, establece o mantiene alguna forma de restricción cuantitativa, o control de importación o venta de cualquier artículo en que esté interesado el otro país, o sobre importación o venta de determinada cantidad de cualquier artículo, impone derecho o carga menor que el derecho o carga impuesta a las importaciones en exceso de esa cantidad, el Gobierno que así actúe deberá:

a) Dar aviso público de la cantidad total, o cualquier cambio de ésta, que de alguno de esos artículos se permita importar o vender o que se permita importar o vender con derecho o carga reducidos, durante determinado período;

b) Asignar al otro país durante tal determinado período, parte de la cantidad total que originalmente se hubiere establecido, o posteriormente cambiado en modo alguno, en equivalencia a la proporción de la importación total del artículo que el otro país haya enviado durante un período representativo anterior, a menos que mutuamente se convenga en prescindir de tal asignación; y,

c) Dar aviso público de las asignaciones de tal cantidad entre los diferentes países exportadores y en todo tiempo, mediante solicitud, informar al Gobierno del otro país sobre la cantidad de cualquier artículo cultivado, producido o manufacturado de cada país exportador que se haya importado o vendido, o para cuya importación o venta se hayan concedido licencias o permisos.

46 Stat. 703.  
19 U. S. C. § 1337.

Action where quantitative restriction is imposed.

Import licenses, etc.

2. Neither the United States of America nor the Republic of Costa Rica shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold during a quota period of not less than three months shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

2. Ni los Estados Unidos de América ni la República de Costa Rica regularán por licencias o permisos de importación a favor de individuos u organizaciones, la cantidad total de importaciones a su territorio o ventas en él de ningún artículo que interese al otro país, a menos que haya sido establecida la cantidad total del artículo objeto del permiso de importación o venta durante un período de cuota no menor de tres meses, y a menos que los reglamentos sobre expedición de tales licencias o permisos se hubieren publicado antes de su entrada en vigor.

#### ARTICLE VIII

Treatment of Government monopolies.

In the event that the Government of the United States of America or the Government of the Republic of Costa Rica establishes or maintains an official monopoly or centralized agency for the importation of or trade in a particular commodity, the Government establishing or maintaining such monopoly or centralized agency will give sympathetic consideration to all representations that the other Government may make with respect to alleged discriminations against its commerce in connection with purchases by such monopoly or centralized agency.

#### ARTÍCULO VIII

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de la República de Costa Rica, establezca o mantenga monopolio oficial o agencia centralizada para la importación o venta de determinado artículo, el Gobierno que establezca o mantenga tal monopolio o agencia centralizada, considerará amistosamente las representaciones que hará el otro Gobierno con respecto a las parcialidades alegadas contra su comercio en conexión con compras por tal monopolio o agencia centralizada.

#### ARTICLE IX

Control of foreign exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Costa Rica to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

#### ARTÍCULO IX

Los Estados Unidos de América y la República de Costa Rica se conceden mutuamente las ventajas de tarifa y demás beneficios estipulados en este Convenio sujetos a la condición de que si el Gobierno de uno u otro país, directa o indirectamente, estableciere o mantuviere alguna forma de control, sobre el cambio extranjero, administrará tal control en forma que asegure a nacionales y comercio del otro país garantía de justa y equitativa parte en las asignaciones del cambio.



With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

With respect to non-commercial transactions it is agreed that the Government of each country shall apply any form of control of foreign exchange in a non-discriminatory manner as between the nationals of the other country and the nationals of any third country.

The Government of each country will give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article. If, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen<sup>1</sup> days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

#### ARTICLE X

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Costa Rica to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Costa Rica or the United States of America, respectively. This provision refers to: customs duties or charges of any kind

Respecto al cambio aprovechable para transacciones comerciales, se acuerda que, en la administración de cualquier forma de control de cambio extranjero, se regirá el Gobierno de cada país por el principio de que, hasta donde se pueda establecer aproximadamente, la parte del total de cambio disponible que se asigne al otro país no será menor que la parte empleada en período representativo anterior al establecimiento de cualquier control de cambio, para la liquidación de obligaciones comerciales a favor de nacionales de tal otro país.

Con respecto a transacciones no comerciales, se acuerda que el Gobierno de cada país administrará cualquiera forma de control de cambio extranjero, de manera que no habrá distinción entre los nacionales del otro país y los de cualquier tercer país.

El Gobierno de cada país considerará amistosamente cualesquiera representaciones que el otro Gobierno pueda hacer respecto la aplicación de las estipulaciones de este artículo. Si, dentro de los treinta días de recibidas tales representaciones, no se llega a arreglo satisfactorio ni se ajusta acuerdo respecto de ellas, el Gobierno que las hace puede, dentro de los quince días posteriores a la expiración del mencionado plazo de treinta días, terminar este artículo o el Convenio en su totalidad a los treinta días de notificación escrita.

#### ARTÍCULO X

Cualquier ventaja, favor, privilegio o inmunidad que haya otorgado u otorgue después los Estados Unidos de América o la República de Costa Rica sobre artículos originarios de o destinados a un tercer país, se acordarán inmediata e incondicionalmente a los correspondientes artículos originarios de o destinados a, respectivamente, la República de Costa Rica o los Estados Unidos de América. Esta estipulación se refiere a: derechos aduaneros o cargas de cualquier

Commercial transactions.

Non-commercial transactions.

Mutual consideration of representations with respect to application of Article.

Extension of advantages, etc., granted any other country.

<sup>1</sup> So in original.

imposed on or in connection with importation or exportation; the method of levying such duties or charges; all rules and formalities in connection with importation or exportation; and all laws or regulations affecting the sale or use of imported goods within the country.

## ARTICLE XI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America, or the Republic the<sup>1</sup> Costa Rica, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Laws, regulations, and decisions to be published.

Uniform application.

Administrative rulings, etc.  
No retroactive application.

Anti-dumping duties, etc.

No administrative ruling by the United States of America or the Republic of Costa Rica effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

género sobre o en conexión con importación o exportación; método de imponer tales derechos o cargas; todas las reglas y formalidades relativas a importación o exportación; y todas las leyes y reglamentos que afecten en el país la venta o uso de artículos importados.

## ARTÍCULO XI

Las leyes, los reglamentos de autoridades administrativas y las decisiones de autoridades administrativas o judiciales de los Estados Unidos de América, o de la República de Costa Rica, respectivamente, en cuanto a clasificación de artículos para fines aduaneros o tasa de derechos, se publicarán oportunamente en forma tal que facilite a los comerciantes enterarse de ellos. Tales leyes, reglamentos y decisiones, se aplicarán con uniformidad en todos los puertos del país respectivo, a excepción de lo que de otro modo se haya dispuesto específicamente en estatutos de los Estados Unidos de América en relación con artículos importados en Puerto Rico.

No tendrá efecto retroactivo disposición administrativa alguna de los Estados Unidos de América o de la República de Costa Rica que aumente la tasa de los derechos o cargas aplicables por práctica estable y uniforme a las importaciones originarias del territorio del otro país, o que imponga cualquier nuevo requisito para tales importaciones, ni deberá aplicarse tal disposición a artículos introducidos al país o retirados de la Aduana para el consumo con anterioridad a la expiración de los treinta días a contar de la fecha de publicación del Reglamento, en la forma oficial de costumbre. Las estipulaciones de este párrafo no son aplicables a órdenes administrativas que establezcan derechos contra el "dumping" o se refieran a reglamentos para la protección de la vida humana, animal o vegetal, o a la seguridad pública, o que hagan cumplir resoluciones judiciales.

<sup>1</sup> So in original.

## ARTICLE XII

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Costa Rica, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

## ARTICLE XIII

There will not be imposed in the United States of America or in the Republic of Costa Rica, on importations of articles the growth, produce or manufacture of the other country, greater than nominal penalties because of errors in documentation, made in the country of export, provided it can be established by the importer or other party in interest to the satisfaction of the customs authorities that the errors were clerical in origin or were made in good faith.

The Government of each country will accord sympathetic consideration to such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, or the application of sanitary laws and regulations for the protection of human, animal, or plant life; and upon request it will afford adequate opportunity for consultation regarding such representations.

## ARTICLE XIV

1. Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Republic of Costa Rica, respectively, to the commerce of the other country, shall not apply to the Philippine

## ARTÍCULO XII

En caso de que varíe sensiblemente el tipo de cambio entre las monedas de los Estados Unidos de América y la República de Costa Rica, cada uno de los Gobiernos, si considera la variación tan sustancial como para perjudicar las industrias o el comercio de su país, estará en libertad de proponer negociaciones para modificar este Convenio, o para darlo por completamente terminado a los treinta días de notificación escrita.

Modification where rate of exchange prejudicial.

## ARTÍCULO XIII

No se impondrán en los Estados Unidos de América ni en la República de Costa Rica sobre la importación de artículos cultivados, producidos o manufacturados en el otro país, sanciones mayores que nominales por causa de errores en la documentación, hechas en el país exportador, siempre que pueda establecerse por el importador u otra persona interesada a satisfacción de las autoridades de la Aduana, que esos errores fueron de copia o que fueron hechos de buena fe.

Documentation errors.

El Gobierno de cada país considerará amistosamente las representaciones que el otro Gobierno pueda hacerle respecto al funcionamiento de las reglamentaciones de Aduana, restricciones cuantitativas o su administración, observancia de formalidades aduaneras y aplicación de leyes sanitarias y disposiciones para la protección de la vida humana, animal o vegetal; y a solicitud dará amplia oportunidad de consulta en relación con tales representaciones.

Mutual consideration of representations with respect to customs, etc.

## ARTÍCULO XIV

1. A excepción de lo estipulado en contrario en el párrafo segundo de este artículo, las disposiciones del presente Convenio relativas al tratamiento acordado, respectivamente, por los Estados Unidos de América o por la República de Costa Rica al comercio del otro país, no se aplicarán a las Islas

Provisions not to apply to Philippine Islands, etc.

Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Preferential treatment extended to territories, etc., of each other.

*Ante*, p. 1589.

Not applicable to Canal Zone.

Existing advantages excepted from operation of Agreement.

Philippine Islands.

2. Subject to the reservations set forth in the third, fourth, and fifth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Republic of Costa Rica, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

3. The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Costa Rica to adjacent countries in order to facilitate frontier traffic and advantages resulting from a customs union to which either the United States of America or the Republic of Costa Rica may become a party shall be excepted from the operation of this Agreement.

4. The advantages now accorded or which may hereafter be accorded by the Republic of Costa Rica to the commerce of Guatemala, El Salvador, Honduras, Nicaragua or Panama, so long as any such advantage is not accorded to any other country, shall be excepted from the operation of this Agreement.

5. The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect to any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama

Filipinas, las Islas Vírgenes, la Samoa Estadunidense, la Isla de Guam, ni a la Zona del Canal de Panamá.

2. Con las reservas establecidas en los párrafos tercero, cuarto y quinto de este artículo, las estipulaciones del artículo X se aplicarán a artículos cultivados, producidos o manufacturados en cualquier territorio bajo la soberanía o autoridad de los Estados Unidos de América o de la República de Costa Rica, y que se importen de o que se exporten a cualquier territorio bajo la soberanía o autoridad del otro país. Se entiende, sin embargo, que las disposiciones de este párrafo no se aplican a la Zona del Canal de Panamá.

3. Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por los Estados Unidos de América o la República de Costa Rica a países adyacentes para facilitar el tráfico fronterizo, y las ventajas resultantes de una unión aduanera de que los Estados Unidos de América o la República de Costa Rica puedan formar parte.

4. Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo futuro acuerde la República de Costa Rica al Comercio de Guatemala, El Salvador, Honduras, Nicaragua, o Panamá, mientras tales ventajas no se concedan a cualquier otro país.

5. Se exceptuarán de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por los Estados Unidos de América, sus territorios o posesiones o por la Zona del Canal de Panamá entre sí o a la República de Cuba. Las disposiciones de este párrafo continuarán aplicándose respecto de cualesquiera ventajas que ahora o después acuerden los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, a Islas Filipinas, con

Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

6. Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as the United States of America or the Republic of Costa Rica, respectively, may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of all other military supplies.

#### ARTICLE XV

In the event that the United States of America or the Republic of Costa Rica adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government of the country which has adopted any such measure shall consider such representations and proposals as the Government of the other country may make with a view to effecting a mutually satisfactory adjustment of the matter.

#### ARTICLE XVI

The present Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Costa Rica, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the

prescindencia de cualquier cambio en el estado político de las Islas Filipinas.

6. Salvo expresas disposiciones en contrario de este Convenio, sus estipulaciones no se tendrán como aplicables a los reglamentos de policía o sanidad; y nada de este Convenio se considerará como contrario a la adopción de medidas sobre prohibir o restringir la exportación de oro o plata o para impedir la adopción de las medidas que los Estados Unidos de América o la República de Costa Rica, respectivamente hallen oportunas para controlar la exportación o la venta para exportación de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material de guerra.

#### ARTÍCULO XV

En caso de que los Estados Unidos de América o la República de Costa Rica adopten cualquier medida que, aunque sin contradecir los términos de este Convenio, se considere por el Gobierno del otro país como nulificando o perjudicando cualquiera de los objetos del Convenio, el Gobierno del país que la haya adoptado considerará las representaciones y propuestas que el Gobierno del otro país pueda hacer con la mira de efectuar un arreglo mutuamente satisfactorio del asunto.

#### ARTÍCULO XVI

El presente Convenio entrará en vigor a los treinta días de su promulgación por los Presidentes de los Estados Unidos de América y de la República de Costa Rica, o, si las promulgaciones se hicieren, en días diferentes, a los treinta días de la fecha de la última promulgación; y estará vigente durante el término de tres años, a menos que antes se hubiere terminado en virtud de las estipulaciones de los artículos VI,

Not applicable to police or sanitary regulations.

Adoption of measures restricting, etc., exportation of gold or silver.

Export or sale for export of arms, munitions, etc.

Adoption of measures impairing Agreement; adjustment.

Effective date and duration.

*Ante*, pp. 1585, 1588, 1591.

provisions of Articles VI, IX, or XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

**Termination.**

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Articles VI, IX or XII, until six months from such time as the Government of either country shall have given notice to the other Government.

A no ser que el Gobierno de uno de los países, por lo menos seis meses antes de la expiración del indicado plazo de tres años, notifique al otro su intención de terminar este Convenio al cumplirse dicho lapso, el Convenio continuará en vigencia, sujeto a terminación, conforme las cláusulas de los artículos VI, IX o XII, a los seis meses de la fecha en que uno de los Gobiernos haga la notificación al otro Gobierno.

**Signatures.**

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the city of San Jose, this twenty-eighth day of November, nineteen hundred and thirty-six.

En fe de lo expuesto los respectivos Plenipotenciarios firman este Convenio y ponen sus sellos en él, por duplicado, en los idiomas inglés y español, ambos textos auténticos, en la ciudad de San José, a los veintiocho días del mes de noviembre de mil novecientos treinta y seis.

[SEAL] LEO R SACK

[SEAL] LUIS FERNÁNDEZ

## SCHEDULE I

## LISTA I

Costa Rican  
Tariff Item  
NumberMaximum Rates of  
Duty in Costa  
Rican ColonesNúmero de la  
Partida del  
Arancel de  
Costa RicaAforo máximo de  
los derechos en  
Colones de  
Costa Rica

## Description of Articles

## Descripción de los Artículos

The provisions of this Schedule will be interpreted as though they had been included in the current Costa Rican tariff law by an amendment to that law.

Las estipulaciones de esta Lista deben interpretarse como si hubiesen sido incluidas en el Arancel de Aduanas vigente como enmienda a la Ley.

Abbreviation: G. K.=Gross Kilo

Abreviación: K. B.=Kilo Bruto

Ex 18	Cash registers.....	G. K.	0. 40
Ex 18	Typewriters.....	G. K.	0. 40
Ex 18	Adding and similar machines.....	G. K.	0. 40
Ex 20	Steel furniture of all kinds.....	G. K.	0. 80
Ex 61	Silk hosiery.....	G. K.	15. 00
Ex 63	Fly paper.....	G. K.	0. 05
Ex 67	Paper napkins.....	G. K.	0. 40
Ex 77	Trunks unlined or lined with tin or ordinary material.....	G. K.	0. 40
Ex 78 (bis)	Radios, accessories <sup>1</sup> and parts.....	G. K.	1. 00
87	Construction lumber, boards, beams and planks, wooden frames for windows and doors, round or straight-edged poles, for Province of Limon except hospital..	G. K.	0. 01
88	Construction lumber, boards, beams and planks, wooden frames for windows and doors, round or straight-edged poles, for other Provinces.....	G. K.	0. 02
Ex 94	Fine leathers such as calfskin, patent or not, sheepskin, goatskin, cordovan, morocco leather. Tanned skins with hair, provided they are not for adornment.....	G. K.	0. 50
Ex 103	Fresh fruit.....	G. K.	0. 04
Ex 107 (bis)	Wheat flour, first quality, as defined in Decree No. 16 of June 20, 1931.....	G. K.	0. 15

Ex 18	Máquinas registradoras.....	K. B.	0. 40
Ex 18	Máquinas de escribir.....	K. B.	0. 40
Ex 18	Máquinas de sumar y semejantes.....	K. B.	0. 40
Ex 20	Acero en muebles de todas clases.....	K. B.	0. 80
Ex 61	Medias de seda natural.....	K. B.	15. 00
Ex 63	Papel para coger moscas.....	K. B.	0. 05
Ex 67	Servilletas de papel.....	K. B.	0. 40
Ex 77	Baúles sin forrar o forrados con lata o género ordinario.....	K. B.	0. 40
Ex 78 (bis)	Radios receptores, sus accesorios y partes.....	K. B.	1. 00
87	Maderas para construcción en tablas, tablones, vigas, marcos de madera para ventanas y puertas, palos redondos o reglas, para la provincia de Limón, exceptuando el Hospital.....	K. B.	0. 01
88	Maderas para construcción en tablas, tablones, vigas, marcos de madera para ventanas y puertas, palos redondos o reglas para otras provincias.....	K. B.	0. 02
Ex 94	Cueros finos como becerros, charolados o no, carneros, badanas, cordobanes y tafiletes. Pielés curtidas con su pelo, que no sean de adorno.....	K. B.	0. 50
Ex 103	Frutas frescas.....	K. B.	0. 04
Ex 107 (bis)	Harina de trigo de primera calidad, conforme con lo estipulado en el decreto N° 16 del 20 de junio de 1931.....	K. B.	0. 15

<sup>1</sup> So in original.

## SCHEDULE I—Continued

## LISTA I—Continúa

Costa Rican Tariff Item Number	Description of Articles	Maximum Rates of Duty in Costa Rican Colones	Número de la Partida del Arancel de Costa Rica	Descripción de los Artículos	Aforo máximo de los derechos en Colones de Costa Rica
Ex 109 and Ex 112 Ex 113	Oatmeal, oat groats, flaked and rolled oats, and other cracked cereals and prepared cereals.....	G. K. 0. 16	Ex 109 y Ex 112	Avena machacada, avena molida, avena en copos o escamas, y otros cereales quebrados y los preparados.....	K. B. 0. 16
Ex 113	Condensed milk, pure or with sugar add- ed, containing not less than 8 per cent and 25 per cent of cream and solids respectively.....	G. K. 0. 30	Ex 113	Leche condensada pura o adicionada de azúcar, cuya cantidad de crema y ma- terias sólidas sean no menos de 8 y 25%, respectivamente.....	K. B. 0. 30
Ex 113	Evaporated milk, pure or with sugar added, containing not less than 7.8 per cent and 25 per cent of cream and solids respectively.....	G. K. 0. 20	Ex 113	Leche evaporada pura o adicionada de azúcar, cuya cantidad de crema y materias sólidas sean no menos de 7, 8 y 25%, respectivamente.....	K. B. 0. 20
116	Pure Hog Lard.....	G. K. 0. 55	116	Manteca de cerdo, pura.....	K. B. 0. 55
Ex 118	Canned salmon, canned mackerel, canned shellfish, prepared or preserved in any form, and canned sardines, prepared or preserved in tomato, mustard or other sauces.....	G. K. 0. 50	Ex 118	Salmón en latas, marcarela en latas, mariscos y crustáceos en latas, pre- servados o preparados en cualquier forma, sardinas en latas, preparadas o preservadas en tomate, mostaza, u otras salsas.....	K. B. 0. 50
Ex 118	Dried fruit (Except as provided for in tariff item number 106).....	G. K. 0. 40	Ex 118	Frutas secas (con excepción de las indi- cadas en la partida 106).....	K. B. 0. 40
Ex 118	Fruits preserved in their own juice, in syrup or sugared.....	G. K. 0. 50	Ex 118	Frutas conservadas en su jugo, en almíbar o azucaradas.....	K. B. 0. 50
Ex 118	Canned vegetables, not specified.....	G. K. 0. 50	Ex 118	Conservas de hortalizas no especificadas.....	K. B. 0. 50
Ex 122	Chewing gum.....	G. K. 1. 00	Ex 122	Gomas para mascar.....	K. B. 1. 00
Ex 122	Dried skimmed milk.....	G. K. 0. 65	Ex 122	Leche desnatada seca en polvo.....	K. B. 0. 65
Ex 122	Dried whole milk.....	G. K. 0. 60	Ex 122	Leche pura seca en polvo.....	K. B. 0. 60
Ex 122 (3)	Canned hog meat, other than cured or pickled ham and shoulder.....	G. K. 1. 30	Ex 122 (3)	Carne de cerdo en latas excluyendo jamón y lomo, curado, o en escabeche.....	K. B. 1. 30
129	Rosin.....	G. K. 0. 05	129	Pez rubia.....	K. B. 0. 05
Ex 132	Ready-mixed paints, ready for imme- diate use or application, enamel paints and enamels, including cellulose lac- quers and enamels, and asphalt var- nishes, and other prepared paints not		Ex 132	Pinturas preparadas, listas para inmediato uso o aplicación, pinturas de esmalte, y esmaltes, incluyendo lacas y esmaltes celulosos, barnices de asfalto y toda clase de pinturas no especificadas,	



	specifically classified, ready for immediate use or application.....	G. K.	0. 30		listas para inmediato uso o aplicación...	K. B.	0. 30
Ex 133	Varnishes prepared without pigments and not specifically provided for.....	G. K.	0. 60	Ex 133	Barnices preparados sin pigmentos y no especificados.....	K. B.	0. 60
Ex 135	Pharmaceutical preparations, liquid, not specified, such as distilled waters, oils, balsams, colodions <sup>1</sup> , eye washes, decoctions, elixirs, official essences and spirits, emulsions, fluid extracts, syrups, drops, glycerolates, juices, lotions, solutions or liquors, tinctures, liniments, honeys, oxymels, mixtures, mucilages, and wines.....	G. K.	1. 50	Ex 135	Preparaciones farmacéuticas, líquidas, no especificadas, tales como: aguas destiladas, aceites, bálsamos, colodiones, aguas para los ojos, decocciones, elixires, esencias oficiales y espíritus, emulsiones, extractos fluidos, siropes o jarabes, glóbulos, glicerolatos, jugos, lociones, soluciones o licores, tinturas, linimentos, miel, ojimiel, mixturas, mucilagos y vinos.....	K. B.	1. 50
Ex 135	Unperfumed toilet soap and shaving soap and paste, perfumed or not.....	G. K.	1. 00	Ex 135	Jabones de tocador no perfumados, jabones y pasta para afeitar, perfumados o no.....	K. B.	1. 00
Ex 136	Liquid dentifrices.....	G. K.	2. 00	Ex 136	Dentifricos líquidos.....	K. B.	2. 00
Ex 137	Plasters, medicinal, not specified.....	G. K.	1. 70	Ex 137	Emplastos medicinales no especificados...	K. B.	1. 70
Ex 137	Dentifrices, unspecified.....	G. K.	2. 00	Ex 137	Preparaciones dentífricas no especificadas	K. B.	2. 00
Ex 138	Ointments and medicinal salves.....	G. K.	2. 50	Ex 138	Ungüentos y pomadas medicinales.....	K. B.	2. 50
Ex 139	Pharmaceutical preparations, dry, not specified, such, as: pills, coated or uncoated, dragees, compound powders, small gelatine capsules or perles, medicinal cigarettes and pencils, tablets or cachets, suppositories in various forms, candles, medicinal teas, dosified medicines in granular form, and salts, prepared or compounded, not including the effervescent varieties.....	G. K.	4. 00	Ex 139	Preparaciones farmacéuticas secas, no especificadas, como: píldoras desnudas o cubiertas, grageas, polvos compuestos, cápsulas gelatinosas o perlas, cigarrillos y lápices medicinales, sellos o cachets, supositorios en varias formas, bujías, téis medicinales, gránulos dosificados y sales compuestas o preparadas, no incluyendo las efervescentes.....	K. B.	4. 00
Ex 139	Yeast, dried or prepared, for medicinal use.....	G. K.	4. 00	Ex 139	Levaduras desecadas o preparadas para uso medicinal.....	K. B.	4. 00
Ex 139	Serums and vaccines, not specified.....	G. K.	3. 00	Ex 139	Sueros y vacunas no especificados.....	K. B.	3. 00
Ex 145	Cigarettes.....	G. K.	8. 00	Ex 145	Cigarrillos.....	K. B.	8. 00

Note 1. It is agreed that the Costa Rica Government will not impose any certification requirements or any formality for the importation, registration, licensing and sale of pharmaceutical

<sup>1</sup> So in original.

Nº 1.—Es convenido que el Gobierno de Costa Rica no exigirá requerimientos de certificación o cualquier otra formalidad para la importación, registro, permiso y venta de especialidades farmacéuti-

specialties and patent medicines which are impossible of fulfillment in the United States because of the lack of a duly authorized Federal agency.

It is further agreed that the fees for the permanent registration, analysis and licensing and for the fulfillment of any other required formality with respect to the manufacture, importation and sale of medicinal products and pharmaceutical specialties shall not in the aggregate exceed 10 colones.

Note 2. No special customs treatment shall be accorded to any third country with respect to any article of specified trade name, or other exclusive designation now classified under Section IX of the Costa Rican Customs Tariff (second edition), without prior negotiations between the Governments of the United States and Costa Rica with respect to appropriate modifications of the nomenclature, import duties, or other charges or exactions on the pharmaceutical products and patent medicines classified in the above-named section.

## SCHEDULE II

Note: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the Column at the left of the respective descriptions of articles.

United  
States  
Tariff Act  
of 1930  
Paragraph

Maximum rates  
of duties.  
Specific rates in  
United States  
dollars

### Description of Articles

747	Pineapples: in crates.....	0.35 per crate of 2.45 cubic ft.
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cas de patente que sean de imposible cumplimiento de los Estados Unidos, causadas por falta de una Agencia Federal debidamente autorizada.

Es además convenido que los derechos para el registro permanente, análisis y registro y para el cumplimiento de cualesquiera otras formalidades requeridas con respecto a la manufactura, importación y venta de productos medicinales y especialidades farmacéuticas, no serán mayores de 10 colones.

Nota 2.—No se autorizará ningún tratamiento especial aduanero a ninguna tercera nación con respecto a ninguno de los artículos de nombre comercial especificados u otra designación exclusiva ahora clasificados en la Sección IX del Arancel de Aduanas de Costa Rica (segunda edición), sin previo entendimiento entre los Gobiernos de los Estados Unidos y Costa Rica, con respecto a una apropiada modificación de la nomenclatura, derechos de importación u otros cargos o exacciones sobre los productos farmacéuticos y medicinas de patente clasificadas en la Sección antes mencionada.

## LISTA II

### Descripción de Artículos

Nota: Las disposiciones de esta Lista, para su interpretación y efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América serán determinadas, en cuanto fuere posible, como si cada disposición de esta Lista apareciera respectivamente en el párrafo de la Ley de Arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.

Tarifa de  
los Estados  
Unidos.  
Ley de 1930.  
Párrafo

Aforos máximos.  
Derechos especí-  
ficados en  
dólares de los  
Estados Unidos  
de América

### Descripción de artículos

747	Piñas: en jabas.....	0.35 por ja- ba de 2.45 pies cúbi- cos
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	in bulk.....	0.009 each
752	Guavas prepared or preserved, and not specially provided for.....	17½% ad valorem
752	Bananas dried, desiccated, or evaporated....	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps.....	28% ad valorem
1618	Bananas, green or ripe.....	Free
1618	Plantains, green or ripe.....	Free
1653	Cocoa or cacao beans, and shells thereof....	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319.....	Free
1765	Deerskins, raw.....	Free
1765	Reptile skins, raw.....	Free
1790	Turtles.....	Free
1803	Cabinet woods in the log.....	Free
1803	Balsa wood in the log.....	Free

	Sueltas.....	0.009 c/u.
752	Guayabas preparadas o en conserva y no especialmente especificadas.....	17½% ad valorem
752	Bananos secos, deshidratados o evaporados..	17½% ad valorem
752	Pastas y pulpas de mangos, y pastas y pulpas de guayabas y guabas.....	28% ad valorem
1618	Bananos verdes o maduros.....	Libre
1618	Plátanos, verdes o maduros.....	Libre
1653	Cocoa o cacao en grano y las cáscaras de éste.....	Libre
1654	Café, excepto el café importado a Puerto Rico, sobre el cual se ha puesto un aforo autorizado por Sección 319.....	Libre
1765	Cueros crudos de venado.....	Libre
1765	Cueros crudos de reptiles.....	Libre
1790	Tortugas.....	Libre
1803	Maderas finas para muebles en trozas.....	Libre
1803	Madera de balsa, en trozas.....	Libre

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

*Ante*, p. 1593.

WHEREAS it is stipulated in Article XVI of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Costa Rica, or, should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Costa Rica on July 2, 1937;

Proclamation.

48 Stat. 943.  
19 U. S. C. § 1351.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after August 2, 1937, the thirtieth day following July 3, 1937, the date of this my proclamation of the said Agreement.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this third day of July in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

*Agreement between the United States of America and Peru for exchange of official publications. Effected by exchange of notes, signed October 16 and 20, 1936.* October 16 and 20, 1936  
[E. A. S. No. 103]

*The Peruvian Minister of Foreign Affairs (Ulloa) to the American Chargé d'Affaires (Dreyfus)*

Número 6-3/103

MINISTERIO DE RELACIONES EXTERIORES,

*Lima, 16 de octubre de 1936.*

SEÑOR ENCARGADO DE NEGOCIOS:

Con referencia a nuestras conversaciones y al Memorandum de Vuestra Señoría, de 28 de agosto último, me es grato dejar constancia de que hemos convenido en lo siguiente:

Agreement with  
Peru for exchange of  
official publications.

Habrà un intercambio completo de publicaciones oficiales entre el Perú y los Estados Unidos de América, que será regido en la siguiente forma:

1.—La oficina oficial de intercambio por parte del Perú es la Sección de Propaganda y Publicaciones del Ministerio de Relaciones Exteriores. La oficina oficial de intercambio para el envío de publicaciones por parte de los Estados Unidos es la "Smithsonian Institution".

2.—Los envíos de intercambio serán recibidos en nombre del Perú por el Ministerio de Relaciones Exteriores y en nombre de los Estados Unidos por la Biblioteca del Congreso.

3.—El Perú proporcionará regularmente en un ejemplar las publicaciones oficiales de los departamentos, oficinas e instituciones que aparecen de la lista anexa.<sup>1</sup> Sin necesidad de negociaciones posteriores se extenderá el envío a las publicaciones de las Oficinas del Estado que se creen en el futuro.

4.—Los Estados Unidos proporcionarán regularmente en un ejemplar un lote completo de las publicaciones oficiales de los departamentos, oficinas e instituciones que aparecen en la lista anexa número dos.<sup>2</sup> Sin necesidad de negociaciones posteriores se extenderá el envío a las publicaciones de las Oficinas del Estado que se creen en el futuro.

5.—No están comprendidas en este intercambio las publicaciones confidenciales, formularios en blanco y notas circulares de carácter reservado.

6.—En cuanto a las oficinas que en la actualidad no editan publicaciones y que no se mencionan en las listas adjuntas, es entendido que llegado el caso de que las editaran quedarían comprendidas en la obligación de intercambio.

7.—Cada uno de los Gobiernos sufragará los gastos postales, de ferrocarriles, marítimos y todos los que existan en el país.

<sup>1</sup> Véase la lista, pág. 1602.

<sup>2</sup> Véase la lista, pág. 1608.

8.—Ambos Gobiernos expresan su buena voluntad para enviar los embarques, en cuanto esté a su alcance.

9.—Este acuerdo es independiente de los ya existentes sobre intercambio de publicaciones celebrados entre los diversos departamentos de ambos Gobiernos y no los afecta.

Con la recepción de la nota de Vuestra Señoría, idéntica a la presente, mi Gobierno considerará concluido el acuerdo anterior.

Aprovecho la oportunidad para reiterarle, señor Encargado de Negocios, las seguridades de mi distinguida consideración.

ALBERTO ULLOA

Al Honorable señor

LOUIS G. DREYFUS,

*Encargado de Negocios de los Estados Unidos,*

*Lima.*

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LISTA DE PUBLICACIONES OFICIALES PERUANAS QUE DEBEN ENVIARSE A LA BIBLIOTECA DEL CONGRESO DE WASHINGTON, EN VIRTUD DEL CONVENIO DE INTERCAMBIO DE PUBLICACIONES ENTRE LOS GOBIERNOS DEL PERÚ Y DE LOS ESTADOS UNIDOS.<sup>1</sup>—

*Ministerio de Relaciones Exteriores.*

Memoria del Ministro del Ramo.

Boletín Oficial del Ministerio.

Tratados, Convenciones y Acuerdos vigentes entre el Perú y otros Estados.

Suplementos a los Tratados.

Informaciones económicas, comerciales y financieras del Perú.

Revista de Actualidades peruanas.

*Ministerio de Gobierno y Policía.*

Anuario de Legislación peruana.

Constitución política del Perú (vigente).

Memoria del Ministro del Ramo.

*Ministerio de Hacienda y Comercio.*

Presupuesto General de la República.

Cuenta General de la República.

Anuario del Comercio Exterior del Perú.

Resumen trimestral del Comercio especial del Perú.

Boletín mensual del Comercio especial del Perú.

Boletín del Banco central de Reserva del Perú.

Memoria de la Superintendencia General de Bancos.

Memoria del Ministro del Ramo.

Boletín de Aduanas.

*Ministerio de Fomento e Industrias.*

Memoria del Ministro del Ramo.

Boletín de la Dirección General de Fomento.

Boletín de la Dirección de Agricultura.

Cartillas de Divulgación de la Sección "Propaganda Agrícola".

Boletín de la Sección de Irrigación.

Boletín de la Dirección General de Obras Públicas.

Boletín del Cuerpo de Ingenieros de Minas.

Boletín de la Dirección de Minas y Petróleo.

Boletín de la Escuela de Artes y Oficios.

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<sup>1</sup> Esta lista fué remitida a la Embajada Norteamericana per el Ministro de Relaciones Exteriores del Perú con nota fechada feb.° 17 de 1937.

*Ministerio de Salud Pública, Trabajo y Previsión Social.*

Memoria del Ministro del Ramo.

Boletín de la Dirección General de Salubridad Pública.

Cartillas de Higiene.

*Ministerio de Educación Pública.*

Memoria del Ministro del Ramo.

Revista de Educación.

Programa Oficial de Enseñanza.

*Ministerio de Justicia y Culto.*

Memoria del Ministro del Ramo.

Anales de la Corte Suprema.

Memoria del Presidente de la Corte Suprema.

Memoria del Presidente de la Corte Superior.

*Ministerio de Guerra.*

Memoria del Ministro del Ramo.

Revista de la Escuela Militar del Perú.

Boletín del Clase.

*Ministerio de Marina y Aviación.*

Memoria del Ministro del Ramo.

Revista "Aviación".

Revista de la Escuela Naval del Perú.

Revista "Alas". (Comandancia General de Aeronáutica)

*Sociedad Nacional Agraria.*

Memoria Anual.

*Sociedad Nacional de Industrias.*

Revista "La Industria Peruana".

*Universidad Mayor de San Marcos de Lima.*

Memoria Anual del Rector.

Revista Universitaria.

"Letras". (Órgano de la Facultad de Letras)

Boletín Bibliográfico (de la Biblioteca Central de la Universidad)

Revista de la Facultad de Derecho.

Revista de la Facultad de Medicina.

*Universidad del Cuzco.*

Revista Universitaria.

Memoria del Rector.

*Universidad de Arequipa.*

Memoria Anual del Rector.

Revista Universitaria.

*Universidad de Trujillo.*

Memoria Anual del Rector.

Revista Universitaria.

*Museo Nacional.*

Revista del Museo.

Cuadernos de Arte Peruano.

*Municipalidad de Lima.*

Memoria Anual del Alcalde.

Boletín de la Biblioteca Municipal.

Reglamento Interior de la Municipalidad.

Decretos y Resoluciones Municipales.

*Academia Nacional de Medicina.*

Anales de la Medicina Peruana.

*Colegio de Abogados de Lima.*

Revista del Foro.

*Sociedad Geográfica de Lima.*

Revista de la Sociedad Geográfica.

[Translation]

Number 6-3/103

MINISTRY OF FOREIGN AFFAIRS,

*Lima, October 16, 1936.*

MR. CHARGÉ D'AFFAIRES:

With reference to our conversations and to Your Excellency's memorandum of August 28, 1936, I have the honor to make it a matter of record that we have agreed upon the following:

There shall be a complete exchange of official publications between Peru and the United States of America, which shall be conducted under the following terms:

1. The official exchange office on the part of Peru is Section of Propaganda and Publications of the Ministry of Foreign Affairs. The official exchange office for the transmission of publications of the United States is the Smithsonian Institution.

2. The exchange sendings shall be received on behalf of Peru by the Ministry of Foreign Affairs; on behalf of the United States by the Library of Congress.

3. Peru will furnish regularly in one copy the official publications of the departments, offices and institutions which appear in the attached list.<sup>1</sup> The list shall be extended to include, without the necessity of subsequent negotiations, the publications of any new offices that the State may create in the future.

4. The United States will furnish regularly in one copy a full set of the official publications of the departments, bureaus, offices, and institutions which appear in the attached list number two.<sup>2</sup> The list shall be extended to include, without the need of subsequent negotiations, the publications of any new offices that the State may create in the future.

5. Confidential publications, blank forms, and circular letters not of a public nature are not to be included in this exchange.

6. So far as offices which at this time do not issue publications and which are not mentioned in the attached lists, there is the understanding that publications issued in the future by the offices shall be furnished in one copy.

7. Each party to the agreement shall bear the postal, railroad, steamship and other charges arising in its own country.

8. Both parties express their willingness, so far as possible, to expedite shipments.

<sup>1</sup> For list, see p. 1605.

<sup>2</sup> For list, see p. 1608.



9. This agreement is not concerned with the already existing exchange agreements between the various government departments, etc., of the two countries.

Upon receipt of Your Excellency's note, identical in tenor to the present communication, my Government will consider that the foregoing agreement enters into effect.

I avail myself of this opportunity to reiterate, Mr. Chargé d'Affaires, the assurance of my distinguished consideration.

ALBERTO ULLOA

The Honorable LOUIS G. DREYFUS,  
*Chargé d'Affaires of the United States,*  
*Lima.*

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LIST OF PERUVIAN OFFICIAL PUBLICATIONS WHICH ARE TO BE FURNISHED TO THE LIBRARY OF CONGRESS AT WASHINGTON IN ACCORDANCE WITH THE AGREEMENT ON EXCHANGE OF PUBLICATIONS BETWEEN THE GOVERNMENTS OF PERU AND OF THE UNITED STATES<sup>1</sup>

*Ministry of Foreign Affairs:*

Report (Memoria) of the Minister;  
 Official Bulletin of the Department;  
 Treaties, Conventions, and Agreements in Force Between Peru and Other States;  
 Supplements to the Treaties;  
 Economic, Commercial and Financial Reports of Peru;  
 Review of Current Events in Peru.

*Ministry of Gobierno and Police:*

Annual Publication of Peruvian Legislation;  
 Political Constitution of Peru (the one in force);  
 Report of the Minister.

*Ministry of Hacienda and Commerce:*

General Budget of the Republic;  
 General Accounts of the Republic;  
 Annual Publication on the Foreign Commerce of Peru;  
 Quarterly Résumé of the Special Commerce of Peru;  
 Monthly Bulletin of the Special Commerce of Peru;  
 Bulletin of the Central Reserve Bank of Peru;  
 Report of the Office of the General Superintendent of Banks;  
 Report of the Minister;  
 Customs Bulletin.

*Ministry of Fomento and Industries:*

Report of the Minister;  
 Bulletin of the General Bureau of Fomento;  
 Bulletin of the Office of Agriculture;  
 Pamphlets for Purposes of Popularization, of the Section Entitled "Agricultural Propaganda";  
 Bulletin of the Irrigation Section;  
 Bulletin of the General Office of Public Works;  
 Bulletin of the Corps of Mining Engineers;  
 Bulletin of the Office of Mines and Petroleum;  
 Bulletin of the Vocational School.

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<sup>1</sup> This list was transmitted to the American Embassy by the Peruvian Minister of Foreign Affairs with a note dated Feb. 17, 1937.

*Ministry of Public Health, Labor and Social Welfare:*

Report of the Minister;  
Bulletin of the General Office of Public Health;  
Health Pamphlets.

*Ministry of Public Education:*

Report of the Minister;  
Review of Education;  
Official Program of Education.

*Ministry of Justice and Worship:*

Report of the Minister;  
Annals of the Supreme Court;  
Report of the President (Chief Justice) of the Supreme Court;  
Report of the President of the Superior Court.

*Ministry of War:*

Report of the Minister;  
Review of the Military School of Peru;  
Bulletin of the Class.

*Ministry of Marine and Aviation:*

Report of the Minister;  
The Review, "Aviation";  
Review of the Naval School of Peru;  
The Review, "Alas" (Wings), from the Office of the General Command of Aviation.

*National Agrarian Society:*

Annual Report.

*National Society of Industries:*

The Review, "La Industria Peruana" (Peruvian Industries).

*Universidad Mayor de San Marcos de Lima.* (Great University of San Marcos de Lima).

Annual Report of the Rector;  
University Review;  
"Letras" (Organ of the Faculty of Letters);  
Bibliographical Bulletin (from the Central Library of the University);  
Review of the Faculty of Law;  
Review of the Faculty of Medicine.

*University of Cuzco:*

University Review;  
Report of the Rector.

*University of Arequipa:*

Annual Report of the Rector;  
University Review.

*University of Trujillo:*

Annual Report of the Rector;  
University Review.

*National Museum:*

Review of the Museum;  
Albums of Peruvian Art.

*Municipality of Lima:*

Annual Report of the Alcalde;  
 Bulletin of the Municipal Library;  
 Regulations of the Municipality;  
 Municipal Decrees and Resolutions.

*National Academy of Medicine:*

Annals of Peruvian Medicine.

*College of Lawyers of Lima:*

Revista del Foro ("Court Review")

*Geographical Society of Lima:*

Review of the Geographical Society.

*The American Chargé d'Affaires ad interim (Dreyfus) to the Peruvian Minister of Foreign Affairs (Ulloa)*

No. 1177

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Lima, October 20, 1936.*

EXCELLENCY:

With reference to our conversations, to my memorandum on August 28 last, and to Your Excellency's note No. 6-3/103 of October 16, 1936, I have the honor to express our agreement for the exchange of official publications between the Governments of the United States of America and of Peru, as follows:

There shall be a complete exchange of official publications between Peru and the United States of America, which shall be conducted under the following terms:

1. The official exchange office on the part of Peru is Section of Propaganda and Publications of the Ministry of Foreign Affairs. The official exchange office for the transmission of publications of the United States is the Smithsonian Institution.

2. The exchange sendings shall be received on behalf of Peru by the Ministry of Foreign Affairs; on behalf of the United States by the Library of Congress.

3. Peru will furnish regularly in one copy the official publications of the departments, offices and institutions which appear in the attached list.<sup>1</sup> The list shall be extended to include, without the necessity of subsequent negotiations, the publications of any new offices that the State may create in the future.

4. The United States will furnish regularly in one copy a full set of the official publications of the departments, bureaus, offices, and institutions which appear in the attached list number two.<sup>2</sup> The list shall be extended to include, without the need of subsequent negotiations, the publications of any new offices that the State may create in the future.

<sup>1</sup> For list, see p. 1605.

<sup>2</sup> For list, see p. 1608.

5. Confidential publications, blank forms, and circular letters not of a public nature are not to be included in this exchange.

6. So far as offices which at this time do not issue publications and which are not mentioned in the attached lists, there is the understanding that publications issued in the future by the offices shall be furnished in one copy.

7. Each party to the agreement shall bear the postal, railroad, steamship and other charges arising in its own country.

8. Both parties express their willingness so far as possible, to expedite shipments.

9. This agreement is not concerned with the already existing exchange agreements between the various government departments, etc. of the two countries.

I avail myself of this opportunity to extend to Your Excellency the renewed assurance of my highest consideration.

LOUIS G. DREYFUS, jr.

*Chargé d'Affaires, a. i.*

His Excellency

Doctor ALBERTO ULLOA,

*Minister of Foreign Affairs,*

*Lima.*

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[LIST OF UNITED STATES GOVERNMENT DEPARTMENTS, BUREAUS, OFFICES, AND INSTITUTIONS, OFFICIAL PUBLICATIONS OF WHICH ARE TO BE FURNISHED TO THE PERUVIAN MINISTRY OF FOREIGN AFFAIRS IN ACCORDANCE WITH THE AGREEMENT FOR THE EXCHANGE OF OFFICIAL PUBLICATIONS BETWEEN THE UNITED STATES OF AMERICA AND PERU.<sup>1</sup>]

1. Congress. (Publications include the Congressional record, bound; the Journals, Documents, and Reports, bound, of both the Senate and the House of Representatives; and all documents not bearing a Congressional number printed by order of either House)
2. The President of the United States
3. Department of State
4. Department of the treasury, and the following subordinate bureaus
  - a. Office of the Comptroller of currency
  - b. Office of the Treasurer of the United States
  - c. Bureau of customs
  - d. Bureau of internal revenue
  - e. Federal alcohol administration
  - f. Bureau of mint
  - g. Bureau of the Public Health Service
  - h. Coast Guard
  - i. Bureau of the Budget

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<sup>1</sup> This list was transmitted to the Peruvian Minister of Foreign Affairs by the American Embassy with a note dated Feb. 24, 1937.

5. Department of War and the following subordinate offices
  - a. Office of the Adjutant General
  - b. Office of the Judge Advocate General
  - c. Office of the Surgeon General
  - d. Office of the Chief of Engineers
  - e. Office of the Chief Signal Officer
  - f. Bureau of Insular Affairs
  - g. Office of the Chief of the Air Corps
  - h. National Guard Bureau
  - i. Office of the Chief of the Chemical Warfare Service
  - j. Army War College
  - k. Military Academy: West Point.
6. Department of Justice and the following subordinate offices
  - a. Federal Bureau of Investigation
  - b. Bureau of Prisons
7. Post Office Department
8. Department of the Navy, and the following subordinate offices
  - a. Office of Naval Operations
  - b. Bureau of Navigation, including Hydrographic Office and Naval Observatory
  - c. Bureau of Medicine and Surgery
  - d. Bureau of Engineering
  - e. Bureau of Aeronautics
  - f. Marine Corps
  - g. Naval Academy, Annapolis
  - h. Naval War College
9. Department of the Interior, and the following subordinate offices.
  - a. General land office
  - b. Bureau of Indian Affairs
  - c. Office of Education
  - d. Geological Survey
  - e. Bureau of Reclamation
  - f. Bureau of Mines
  - g. National Park Service
  - h. Board on Geographic Names.
10. Department of Agriculture, and the following subordinate offices:
  - a. Office of Experiment Stations
  - b. Bureau of Biological Survey
  - c. Bureau of Chemistry and Soils
  - d. Forest Service
  - e. Bureau of Public Roads
  - f. Soil Conservation Service
  - g. Weather Bureau
11. Department of Commerce, and the following subordinate offices:
  - a. Bureau of Air Commerce
  - b. Bureau of census
  - c. Bureau of Foreign and Domestic Commerce
  - d. National Bureau of Standards
  - e. National Bureau of Fisheries
  - f. Bureau of Lighthouses
  - g. Coast and Geodetic Survey
  - h. Bureau of Marine Inspection and Navigation
  - i. Patent office (Drawings and specifications of patents are not available on international exchange)
  - j. Shipping Board Bureau

12. Department of Labor, including the following subordinate offices :
  - a. Bureau of Labor Statistics
  - b. Immigration and Naturalization Service
  - c. Children's Bureau
  - d. Women's Bureau
  - e. Employment Service
13. Board of Governors of the Federal Reserve System
14. Board of Tax Appeals
15. Bureau of American Ethnology
16. Civil Service Commission
17. Court of Claims of the United States
18. Court of Customs and Patent Appeals
19. District of Columbia Government
20. Farm Credit Administration
21. Federal Communications Commission
22. Federal Home Loan Bank Board
23. Federal Housing Administration
24. Federal Power Commission
25. Federal Trade Commission
26. General Accounting Office
27. Government Printing Office
28. Interstate Commerce Commission
29. Library of Congress (Including the Copyright Office)
30. National Advisory Committee for Aeronautics
31. National Archives
32. National Mediation Board
33. National Museum
34. Securities and Exchange Commission
35. Smithsonian Institution (Only publications issued by the Government printing office)
36. Social Security Board
37. Supreme Court of the United States
38. Tariff Commission
39. Veterans' Administration

*Arrangement between the United States of America and Japan respecting perpetual leaseholds. Effected by exchange of notes, signed March 25, 1937.*

March 25, 1937  
[E. A. S. No. 104]

*The American Ambassador (Grew) to the Japanese Minister for Foreign Affairs (Sato)*

No. 705

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Tokyo, March 25, 1937 (12 Showa).*

EXCELLENCY:

On March 4, 1937, I had the pleasure to inform the Imperial Japanese Ministry of Foreign Affairs that the Government of the United States was prepared to accept a mutually satisfactory settlement of the perpetual lease system which originated in former treaties between the United States and Japan, and on that basis I now have the honor, under instructions from my Government<sup>1</sup>, to confirm to Your Excellency the following understanding between the Government of the United States of America and the Imperial Japanese Government:

Arrangement with Japan for settlement of the perpetual lease system.

(1) That the said system of perpetual leases shall come to an end on the first day of the fourth month of the seventeenth year of Showa, corresponding to the 1st day of April, 1942, when the leaseholds shall without compensation be converted into the rights of ownership in accordance with the provisions of Japanese laws and ordinances. Such conversion shall be effected free of registration taxes in respect of lands under perpetual leases and buildings thereon.

(2) That until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained, and no further claims shall be made by the Japanese authorities for arrears of such disputed taxes as may still be uncollected.

While requesting Your Excellency to be good enough to confirm the above understanding, I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

JOSEPH C. GREW

His Excellency

Mr. NAOTAKE SATO,

*His Imperial Japanese Majesty's*

*Minister for Foreign Affairs,*

*etc., etc., etc.*

<sup>1</sup> So in original.

*The American Ambassador (Grew) to the Japanese Minister for  
Foreign Affairs (Sato)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Tokyo, March 25, 1937.*

MY DEAR MINISTER:

Permit me to refer to my note of today's date relating to the system of perpetual leases and to inform you that by the words "until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained", it is understood that until March 31, 1942, no taxes at present in force shall be collected other than those heretofore collected from the leaseholders, nor shall any taxes which may be introduced in the future be collected from the leaseholders if such taxes are directly connected with the perpetual leaseholds.

In the event of an American leasehold being transferred it is also understood that it shall continue to be subject to the terms of the understanding in my note under reference.

The friendly spirit in which this settlement has been brought about will, I trust, ensure its successful operation.

Sincerely yours,

JOSEPH C. GREW

His Excellency

Mr. NAOTAKE SATO,

*His Imperial Japanese Majesty's*

*Minister for Foreign Affairs,*

*etc., etc., etc.*



*The Japanese Minister for Foreign Affairs (Sato) to the American  
Ambassador (Grew)*

昭和十二年（千九百三十七年）三月二十五日東京ニ於テ

「アメリカ」合衆國特命全權大使

ジョゼフ、クラーク、グルー閣下

佐藤 武

以書翰啓上致候陳者本日附貴翰ヲ以テ左ノ如ク御通報相成敬承致候

千九百三十七年三月四日日本使ハ合衆國政府ガ合衆國日本國間ノ舊條約ニ起原ヲ有スル永代借地制度ニ付相互ニ満足ナル解決ヲ受諾スルノ用意アル旨日本帝國外務省ニ對シ通報致置候處右ノ基礎ニ於テ本使ハ茲ニ本國政府ノ訓令ニ依リ「アメリカ」合衆國政府及大日本帝國政府間ノ左記了解ヲ閣下ニ對シ確認スルノ光榮ヲ有シ候

(一) 前記永代借地制度ハ昭和十七年四月一日即チ千九百四十二年四月一日ニ終止スベク其ノ際永代借地權ハ何等ノ補償ナク日本國法令ノ規定ニ從ヒ所有權ニ轉換セラルベシ右轉換ハ永代借地及其ノ上ニ存スル建物ニ對スル登録稅ノ賦課ナクシテ行ハルベシ

(二) 昭和十七年三月三十一日即チ千九百四十二年三月三十一日迄免稅ニ關スル現狀ハ維持セラルベク且紛議アリタル租稅ニシテ未ダ徵收セラレズ滯納ト爲リ居ルモノニ對シテハ日本國當局ニ依リ此ノ上納稅ヲ要求セラルコトナカルベシ

本大臣ハ右了解ヲ本問題ノ最終的解決トシテ茲ニ確認スル旨閣下ニ通報スルノ光榮ヲ有シ候  
本大臣ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候 敬具

[Translation]

TOKYO, *March 25, 12 Showa (1937)*.

## EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date in which Your Excellency has informed me as follows:

Confirmation by  
Japan.

On March 4, 1937, I had the pleasure to inform the Imperial Japanese Ministry of Foreign Affairs that the Government of the United States was prepared to accept a mutually satisfactory settlement of the perpetual lease system which originated in former treaties between the United States and Japan, and on that basis I now have the honor, under instructions from my Government, to confirm to Your Excellency the following understanding between the Government of the United States of America and the Imperial Japanese Government:

(1) That the said system of perpetual leases shall come to an end on the first day of the fourth month of the seventeenth year of Showa, corresponding to the 1st day of April, 1942, when the leaseholds shall without compensation be converted into the rights of ownership in accordance with the provisions of Japanese laws and ordinances. Such conversion shall be effected free of registration taxes in respect of lands under perpetual leases and buildings thereon.

(2) That until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained, and no further claims shall be made by the Japanese authorities for arrears of such disputed taxes as may still be uncollected.

I have the honor to inform Your Excellency that I hereby confirm the above understanding for a final settlement of this question.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

NAOTAKE SATO

His Excellency

Mr. JOSEPH CLARK GREW,

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

*The Japanese Minister for Foreign Affairs (Sato) to the American Ambassador (Grew)*

昭和十二年（千九百三十七年）三月二十五日東京ニ於テ

佐藤 武

「アメリカ」合衆國特命全權大使  
ジョゼフ、クラーク、グルー閣下

外  
務  
省

以書翰啓上致候陳者本日附貴翰ヲ以テ「昭和十七年三月三十一日即チ千九百四十二年三月三十一日迄免稅ニ關スル現狀ハ維持セラルベク」ナル字句ニ依リ千九百四十二年三月三十一日迄現ニ實施中ノ租稅が從來永代借地權者ヨリ徵收セラレタルモノノ外徵收セラルルコトナカルベク又將來設ケラルルコトアルベキ租稅ガ永代借地權ニ直接關係アルモノナルニ於テハ永代借地權者ヨリ徵收セラルルコトナカルベキモノト了解セララルモノナル旨御通報相成敬承致候

本大臣ハ右ノ點及米國人ノ有スル永代借地權ガ移轉セラルル場合ニ於ケル其ノ地位ニ關スル閣下ノ了解ヲ確認スルヲ欣快トスルト共ニ本解決ヲ見ルニ至レル友誼的精神ニ因リ本解決ガ首尾ヨク實行セラルルニ至ルベキコトヲ等シク期待致候

敬具

[Translation]

TOKYO, *March 25, 12 Showa (1937).*

MY DEAR AMBASSADOR:

I have the honour to acknowledge the receipt of Your Excellency's letter of today's date in which Your Excellency was so good as to inform me that by the words "until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained", it is understood that until March 31, 1942, no taxes at present in force shall be collected other than those heretofore collected from the leaseholders, nor shall any taxes which may be introduced in the future be collected from the leaseholders if such taxes are directly connected with the perpetual leaseholds.

I take pleasure in confirming Your Excellency's understanding on this point and also with respect to the status of an American leasehold in the event of its transfer, and I reciprocate Your Excellency's hope that the friendly spirit in which this settlement has been brought about will ensure its successful operation.

NAOTAKE SATO

His Excellency

Mr. JOSEPH CLARK GREW,

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

*Commercial agreement between the United States of America and the Union of Soviet Socialist Republics. Effected by exchange of notes, signed at Moscow, August 4, 1937; approved by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, August 6, 1937; proclaimed by the President of the United States, August 6, 1937; effective, August 6, 1937.*

August 4, 1937  
[E. A. S. No. 105]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION.

WHEREAS, by my authority, the Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics exchanged at Moscow on August 4, 1937, with the authorized representative of the Union of Soviet Socialist Republics identic notes, constituting an agreement in regard to commerce between the United States of America and the Union of Soviet Socialist Republics and the continuance of favorable commercial relations between the two Governments, the texts of which notes are word for word as follows:

Commercial, etc.,  
agreement with the  
Union of Soviet So-  
cialist Republics.

Texts of notes.

Moscow, August 4, 1937.

#### EXCELLENCY:

With reference to recent conversations which have taken place in regard to commerce between the United States of America and the Union of Soviet Socialist Republics, I have the honor to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

Confirmation by  
United States of  
America.

One. The United States of America will grant to the Union of Soviet Socialist Republics unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Most-favored-nation  
treatment.

Accordingly, natural or manufactured products having their origin in the Union of Soviet Socialist Republics shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America and consigned to the territory of the Union of Soviet Socialist Republics shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to

which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Union of Soviet Socialist Republics.

It is understood that so long as and in so far as existing law of the United States of America may otherwise require, the foregoing provisions, in so far as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the foregoing provisions with respect to the above-mentioned products, the Union of Soviet Socialist Republics reserves the right within fifteen days after January 1, 1938, to terminate this agreement in its entirety on thirty days' written notice.

U. S. trade with its possessions, Philippine Islands, etc.

It is understood, furthermore, that the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this agreement.

Adoption of measures prohibiting, etc., exportation of gold or silver.

Export or sale for export of munitions, etc.

Nothing in this agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as the Government of the United States of America may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional cases, all other military supplies. It is understood that any action which may be taken by the President of the United States of America under the authority of Section 2 (b) of the Neutrality Act of 1937 in regard to the passage of title to goods shall not be considered as contravening any of the provisions of this agreement relating to the exportation of natural or manufactured products from the territory of the United States of America.

#### Exceptions.

Subject to the requirement that no arbitrary discrimination shall be effected by the United States of America against importations from the Union of Soviet Socialist Republics and in favor of those from any third country, the foregoing provisions shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds, (2) designed to protect human, animal, or plant life, (3) relating to prison-made goods, or (4) relating to the enforcement of police or revenue laws.

U. S. S. R. to take steps for increasing purchases in U. S.

Two. On its part the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

Effective date of agreement.

Three. This agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, which proclamation and approval shall take place on the same day. It shall continue in effect for twelve months. Both parties agree that not less than thirty days



prior to the expiration of the aforesaid period of twelve months they shall start negotiations regarding the extension of the period during which the present agreement shall continue in force.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES  
*Ambassador Extraordinary and Plenipotentiary  
of the United States of America*

His Excellency  
MAXIM LITVINOFF,  
*People's Commissar for Foreign Affairs,  
Moscow.*

Moscow, August 4, 1937.

MR. AMBASSADOR:

With reference to recent conversations which have taken place in regard to commerce between the Union of Soviet Socialist Republics and the United States of America, I have the honor to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

Confirmation by  
Union of Soviet So-  
cialist Republics.

One. The United States of America will grant to the Union of Soviet Socialist Republics unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities, charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in the Union of Soviet Socialist Republics shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America and consigned to the territory of the Union of Soviet Socialist Republics shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Union of Soviet Socialist Republics.

It is understood that so long as and in so far as existing law of the United States of America may otherwise require, the foregoing provisions, in so far as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the foregoing provisions with

respect to the above-mentioned products, the Union of Soviet Socialist Republics reserves the right within fifteen days after January 1, 1938, to terminate this agreement in its entirety on thirty days' written notice.

It is understood, furthermore, that the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this agreement.

Nothing in this agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as the Government of the United States of America may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional cases, all other military supplies. It is understood that any action which may be taken by the President of the United States of America under the authority of Section 2 (b) of the Neutrality Act of 1937 in regard to the passage to title to goods shall not be considered as contravening any of the provisions of this agreement relating to the exportation of natural or manufactured products from the territory of the United States of America.

Subject to the requirement that no arbitrary discrimination shall be effected by the United States of America against importations from the Union of Soviet Socialist Republics and in favor of those from any third country, the foregoing provisions shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds, (2) designed to protect human, animal, or plant life, (3) relating to prison-made goods, or (4) relating to the enforcement of police or revenue laws.

Two. On its part the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

Three. This agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, which proclamation and approval shall take place on the same day. It shall continue in effect for twelve months. Both parties agree that not less than thirty days prior to the expiration of the aforesaid period of twelve months they shall start negotiations regarding the extension of the period during which the present agreement shall continue in force.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

M. LITVINOFF

Mr. JOSEPH E. DAVIES,  
*Ambassador of the United States of America,*  
*Moscow.*

Date of entering  
into force.

AND WHEREAS, it is provided in the said agreement that the agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics and that such proclamation and approval shall take place on the same day:

Proclamation.

NOW, THEREFORE, BE IT KNOWN THAT I, Franklin D. Roosevelt, President of the United States of America, do hereby make known and proclaim the said agreement and, having been notified that the same has been approved on this day by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, direct that it be observed and fulfilled with good faith by the United States of America on and from the date of this my proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year  
of our Lord one thousand nine hundred and thirty-seven  
[SEAL] and of the Independence of the United States of America  
the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## RELATED NOTES

Related notes.

### 1. CONCERNING THE AMOUNT OF PURCHASES TO BE MADE BY THE UNION OF SOVIET SOCIALIST REPUBLICS IN THE UNITED STATES OF AMERICA

*The American Ambassador (Davies) to the People's Commissar for  
Foreign Affairs (Litvinoff)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Moscow, August 2, 1937.*

EXCELLENCY:

I have the honor to refer to our recent conversations in regard to the commerce between the United States of America and the Union of Soviet Socialist Republics and to ask you to let me know the value of articles, the growth, produce, or manufacture of the United States of America which the Government of the Union of Soviet Socialist Republics intends to purchase in the United States of America during the next twelve months for export to the Union of Soviet Socialist Republics.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES

*Ambassador of the United States of America*

His Excellency

MAXIM LITVINOFF,

*People's Commissar for Foreign Affairs,  
Moscow.*

*The People's Commissar for Foreign Affairs (Litvinoff) to the  
American Ambassador (Davies)*

MOSCOW, August "5", 1937.

MR. AMBASSADOR:

In reply to your inquiry regarding the intended purchases by the Union of Soviet Socialist Republics in the United States of America in the course of the next twelve months, I have the honour to inform you that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics intend to buy in the United States of America in the course of the next twelve months American goods to the amount of at least forty million dollars.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

M. LITVINOFF

MR. JOSEPH E. DAVIES,  
*Ambassador of the United States of America,  
Moscow.*

2. EXEMPTION FROM EXCISE TAX OF COAL, COKE, AND COAL OR COKE  
BRIQUETTES IMPORTED INTO THE UNITED STATES FROM THE UNION  
OF SOVIET SOCIALIST REPUBLICS

*The American Ambassador (Davies) to the People's Commissar for  
Foreign Affairs (Litvinoff)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
Moscow, August 4, 1937.

EXCELLENCY:

With reference to the agreement concerning commerce between the United States of America and the Union of Soviet Socialist Republics which has been signed today, I have the honor to state that the Embassy has been informed that in view of the wording of Section 1 of the agreement, the authorities of the Treasury Department of the United States will hold that coal of all sizes, grades, and classifications (except culm and duff), coke manufactured therefrom, and coal or coke briquettes, imported from the Union of Soviet Socialist Republics will be exempt from the excise tax provided in Section 601 (c) (5) of the Revenue Act of 1932, as amended, subject, however, to possible adverse action by the courts.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES  
*Ambassador of the United States of America*

HIS EXCELLENCY

MAXIM LITVINOFF,  
*People's Commissar for Foreign Affairs,  
Moscow.*

*The People's Commissar for Foreign Affairs (Litvinoff) to the  
American Ambassador (Davies)*

Moscow, August 4, 1937.

DEAR MR. AMBASSADOR:

In reply to your inquiry regarding the intended exports of Soviet coal to the United States during the ensuing twelve months, I may state that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics will not in any case export to the United States during the year beginning August 6, 1937, more than 400,000 tons of Soviet coal.

Sincerely yours,

M. LITVINOFF

Mr. JOSEPH E. DAVIES,  
*Ambassador of the United States of America,  
Moscow.*

August 17, 1937  
[E. A. S. No. 106]

*Agreement between the United States of America and Panama in regard to mutual recognition of ship measurement certificates. Effected by exchange of notes, signed August 17, 1937.*

*The Panamanian Minister (Boyd) to the Secretary of State (Hull)*

LEGACIÓN DE PANAMÁ,  
Washington, Agosto 17 de 1937.

SEÑOR SECRETARIO:

Tengo el honor de referirme a la nota de ese Departamento fechada el 17 de Marzo de 1937 <sup>1</sup> y a la cocrrespondencia anterior referente a la recíproca exención de los barcos de la República de Panamá y de los Estados Unidos de América en cuanto al aforo de su tonelaje en los puertos de los respectivos países.

El Gobierno de Panamá adoptó las leyes y reglamentos de los Estados Unidos para el aforo de los barcos al ser matriculados, por medio de su Resolución N° 1, de 5 de Enero de 1937, que establece la reglamentación del tonelaje (Véase la *Gaceta Oficial* de Panamá, de 8 de Enero de 1937). Esto le fué debidamente comunicado a Vuestra Excelencia, para su información, en mi nota N° D-21, de 22 de Enero de 1937 y en respuesta Vuestra Excelencia solicitó que se le informara acerca de las opiniones de mi Gobierno respecto a la propuesta de un arreglo recíproco para la aceptación de los certificados de matrícula y del apéndice de tonelaje especial en los puertos de ambos países.

Conforme a instrucciones de mi Gobierno, tengo ahora el honor de avisar a Vuestra Excelencia que los barcos de los Estados Unidos que lleven certificado de matrícula u otros documentos nacionales que prueben su tonelaje neto según aforo y que se les hayan expedido conforme a las leyes y reglamentos de los Estados Unidos, quedarán exentos de reaforo en todos los puertos de la República de Panamá, con tal que los barcos de matrícula panameña que hayan sido aforados o medidos de conformidad con la antedicha resolución y que porten certificado de matrícula u otros documentos nacionales que demuestren su tonelaje neto según aforo verificado así, quedarán recíprocamente exentos de reaforo en todos los puertos de los Estados Unidos.

Se tiene entendido además, que los barcos para pasajeros, de Panamá y de los Estados Unidos, portarán un Apéndice de Tonelaje especial con cada una de sus matrículas, para probar todos los espacios destinados a pasajeros y que las leyes de los Estados Unidos no requieren actualmente que se les mida para su matriculación, anexos que se usarán para determinar los derechos de puerto y otros impuestos que se basan en el tonelaje neto de los barcos.

<sup>1</sup> No se imprime.

Ruego a Vuestra Excelencia que tenga la bondad de confirmar el acuerdo que se expresa en la presente.

Sírvase aceptar Vuestra Excelencia, las seguridades de mi más alta consideración.

AUGUSTO S. BOYD

*Ministro.*

A Su Excelencia CORDELL HULL,

*Secretario de Estado*

*de los Estados Unidos de América,*

*Washington, D. C.*

[Translation]

LEGATION OF PANAMA,

*Washington, August 17, 1937.*

MR. SECRETARY:

I have the honor to refer to the Department's note of March 17, 1937,<sup>1</sup> and to previous correspondence concerning the reciprocal exemption of vessels of the Republic of Panama and of the United States of America from readmeasurement for tonnage in the ports of the respective countries.

Proposal of Panama  
respecting mutual recognition of ship measurement certificates.

The Government of Panama adopted the laws and regulations of the United States for the admeasurement of vessels for registry by its Resolution No. 1 of January 5, 1937, establishing tonnage regulations (see *Gaceta Oficial* of Panama of January 8, 1937). This information was duly communicated to Your Excellency in my note No. D-21 of January 22, 1937, and in reply Your Excellency requested to be informed of the views of my Government with regard to a proposed reciprocal arrangement for the acceptance of certificates of registry and the special tonnage appendix in the ports of the two countries.

On instructions from my Government, I now have the honor to advise you that vessels of the United States carrying certificates of registry or other national papers showing their net tonnage measurements and issued in accordance with the laws and regulations of the United States shall be exempted from readmeasurement in all ports of the Republic of Panama, provided that vessels of Panamanian registry which have been measured in accordance with the aforesaid resolution and which carry certificates of registry or other national papers showing their net tonnage measurements as thus ascertained shall be reciprocally exempted from readmeasurement in all ports of the United States.

It is further understood that passenger vessels of Panama and of the United States shall carry a Special Tonnage Appendix to each of their registers showing all passenger spaces not now required by the laws of the United States to be measured for registry, for use in determining port dues and other charges based on the net tonnage of vessels.

<sup>1</sup> Not printed.

I have the honor to request that Your Excellency be good enough to confirm the understanding set forth herein.

Please accept, Excellency, the assurances of my highest consideration.

AUGUSTO S. BOYD

*Minister*

To His Excellency CORDELL HULL,  
*Secretary of State*  
*of the United States of America,*  
*Washington, D. C.*

---

*The Secretary of State (Hull) to the Panamanian Minister (Boyd)*

DEPARTMENT OF STATE,

*Washington, August 17, 1937.*

SIR:

Confirmation of understanding by the United States.

I have the honor to acknowledge the receipt of your note of today's date reading as follows:

"I have the honor to refer to the Department's note of March 17, 1937,<sup>1</sup> and to previous correspondence concerning the reciprocal exemption of vessels of the Republic of Panama and of the United States of America from readmeasurement for tonnage in the ports of the respective countries.

"The Government of Panama adopted the laws and regulations of the United States for the admeasurement of vessels for registry by its Resolution No. 1 of January 5, 1937, establishing tonnage regulations (see *Gaceta Oficial* of Panama of January 8, 1937). This information was duly communicated to Your Excellency in my note No. D-21 of January 22, 1937, and in reply Your Excellency requested to be informed of the views of my Government with regard to a proposed reciprocal arrangement for the acceptance of certificates of registry and the special tonnage appendix in the ports of the two countries.

"On instructions from my Government, I now have the honor to advise you that vessels of the United States carrying certificates of registry or other national papers showing their net tonnage measurements and issued in accordance with the laws and regulations of the United States shall be exempted from readmeasurement in all ports of the Republic of Panama, provided that vessels of Panamanian registry which have been measured in accordance with the aforesaid resolution and which carry certificates of registry or other national papers showing their net tonnage measurements as thus ascertained shall be reciprocally exempted from readmeasurement in all ports of the United States.

"It is further understood that passenger vessels of Panama and of the United States shall carry a Special Tonnage Appendix to each of their registers showing all passenger spaces not now required by the laws of the United States to be measured for registry, for use in determining port dues and other charges based on the net tonnage of vessels.

"I have the honor to request that Your Excellency be good enough to confirm the understanding set forth herein."

<sup>1</sup> Not printed.



In reply I have the honor on behalf of the Government of the United States to confirm the understanding set forth in your note. Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

SUMNER WELLES

The Honorable

Señor Dr. Don AUGUSTO S. BOYD,

*Minister of Panama.*

March 12, 1937  
August 10, 1937

*Parcel post agreement between the United States of America and Rumania.  
Signed at București (Bucharest), March 12, 1937, at Washington,  
August 10, 1937; approved by the President, August 20, 1937.*

I. Arrangement  
entre  
l'Administration des Postes des Etats-Unis d'Amérique  
et  
l'Administration des Postes de Roumanie,  
concernant  
l'Echange des Colis Postaux.

I. Agreement  
between  
the United States Post Office Department  
and  
the Rumanian Postal Administration con-  
cerning  
the Exchange of Parcel Post.

I. Arrangement  
entre  
l'Administration des Postes des  
Etats-Unis d'Amérique  
et  
l'Administration des Postes  
de Roumanie  
concernant  
l'Echange des Colis Postaux.

I. Agreement  
between  
the United States Post Office  
Department and  
the Rumanian Postal Administration  
concerning the  
Exchange of Parcel Post.

Parcel post agree-  
ment with Rumania.

Les soussignés, munis des pleins-  
pouvoirs de leurs Gouvernements  
respectifs ont, d'un commun  
accord et sous réserve de ratifica-  
tion par l'Autorité supérieure com-  
pétente, arrêté l'Arrangement sui-  
vant:

The undersigned, provided with  
full powers by their respective  
Governments, have, by common  
consent and subject to ratification  
by the competent superior author-  
ities, drawn up the following  
Agreement:

ART. 1.

ART. 1.

Object.

*Objet de l'Arrangement.*

*Object of the Agreement.*

Territory embraced.

1. Entre les Etats-Unis d'Amé-  
rique (y compris l'Alaska, Puerto  
Rico, les Iles Vierges, Guam,

1. Between the United States of  
America (including Alaska, Puerto  
Rico, the Virgin Islands, Guam,

Samoa et Hawaï) d'une part, et la Roumanie d'autre part, il peut être échange, sous la dénomination de colis postaux, des envois jusqu'à concurrence de 22 livres (10 kilograms). Dans la direction Etats-Unis d'Amérique-Roumanie, ces colis ne doivent pas dépasser les dimensions suivantes:

Samoa, and Hawaii) on one hand, and Rumania on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the weight limit of 22 pounds, (10 kilograms), and the following maximum dimensions:

Weight limit.

Longueur maximum de 4 pieds (120 centimètres), à condition que les colis de plus de 42 pouces (105 centimètres) mais ne dépassant pas 44 pouces (110 centimètres) de longueur, n'excèdent pas 24 pouces (60 centimètres) de pourtour; les colis de plus de 44 pouces (110 centimètres), mais ne dépassant pas 46 pouces (115 centimètres) de longueur, n'excèdent pas 20 pouces (50 centimètres) de pourtour; les colis dépassant 46 pouces (115 centimètres) jusqu'à 4 pieds (120 centimètres) de longueur, n'excèdent pas 16 pouces (40 centimètres) de pourtour; les colis jusqu'à 3½ pieds (105 centimètres) de longueur n'excèdent pas 6 pieds de longueur et pourtour ensemble.

Greatest length 4 feet (120 centimeters) on condition that parcels over 42 inches (105 centimeters) but not over 44 inches (110 centimeters) long do not exceed 24 inches (60 centimeters) in girth; that parcels over 44 inches (110 centimeters) but not over 46 inches (115 centimeters) long do not exceed 20 inches (50 centimeters) in girth; that parcels over 46 inches (115 centimeters) but not over 4 feet (120 centimeters) long do not exceed 16 inches (40 centimeters) in girth; and that parcels up to 3½ feet (105 centimeters) in length do not exceed 6 feet (180 centimeters) in length and girth combined.

Size limit.

2. La manière de voir du bureau expéditeur, en ce qui concerne le calcul exact du poids et des dimensions, doit être considérée comme prévalant, sauf erreur évidente.

2. The viewpoint of the dispatching office in regard to the exact calculation of the weight and dimensions must be considered as prevailing, except in case of obvious error.

## ART. 2.

## ART. 2.

### *Liberté de transit.*

### *Liberty of Transit.*

1. Chaque Administration garantit la liberté de transit sur son territoire, dans les relations avec les pays avec lesquels elle entretient un échange de colis, pour tout colis originaire ou à destination de l'autre Administration contractante.

1. Each Administration guarantees liberty of transit over its territory, in relations with countries with which it maintains an exchange of parcels, for every parcel originating in or destined for the other contracting Administration.

Liberty of transit.

2. Les Administrations se notifient la nomenclature des pays à destination desquels elles acceptent des colis en transit.

2. The Administrations notify each other as to the countries of destination for which they accept parcels in transit.

3. Pour être acceptés au transit, les colis doivent être conformes aux prescriptions du pays intermédiaire.

3. To be accepted in transit, parcels must be in conformity with the provisions of the intermediate country.

## ART. 3.

## ART. 3.

Postage, etc.

*Affranchissement. Taxes.**Postage and Other Charges.*

Collection from sender.

1. L'Administration du pays d'origine est autorisée à percevoir sur l'expéditeur de chaque colis, suivant les prescriptions en vigueur dans son service, les taxes de transport, les taxes à la valeur, ainsi que les droits pour les avis de réception et les recherches.

1. The Administration of the country of origin is authorized to collect from the sender of each parcel, in accordance with the provisions in force in its service, the postage charges and insurance fees, as well as the fees for return receipts and inquiries.

Prepayment.

2. Les taxes et droits prévus au paragraphe 1 doivent être payés d'avance sauf en cas de réexpédition ou de renvoi des colis.

2. The charges and fees provided for in Section 1 must be paid in advance, save in case of reforwarding or return of parcels.

No other charge to be collected.

3. Il ne peut être perçu aucun droit et aucune taxe autres que ceux prévus par le présent Arrangement ou par son Règlement d'Exécution.

3. No fee or postage charge other than those provided for by the present Agreement or its Regulations of Execution may be collected.

## ART. 4.

## ART. 4.

Preparation of parcels.

*Conditionnement des Colis.**Preparation of Parcels.*

Packing.

Chaque colis doit être emballé d'une manière que répond à la durée du transport et qui préserve le contenu, ainsi qu'il est prescrit par le Règlement d'Exécution.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

## ART. 5.

## ART. 5.

Prohibitions.

*Interdictions.**Prohibitions.*

Forbidden inclosures.

1. Il est interdit d'insérer dans les colis postaux:

1. It is forbidden to inclose in parcels:

Letters, etc.

a) des communications ou des notes ayant le caractère de lettres. Il est cependant permis d'insérer dans l'envoi la facture ouverte réduite à ses énonciations constitutives, de même qu'une simple copie de l'adresse du colis, avec mention de l'adresse de l'expéditeur.

a) communications or notes having the character of letters. It is permissible, however, to enclose in the parcel the open invoice reduced to its essential features, as well as a simple copy of the address of the parcel with mention of the address of the sender.

Article bearing different address.

b) un objet portant une adresse autre que celle du destinataire de l'envoi;

b) an article bearing an address other than that of the addressee of the parcel.

Live animals.

c) des animaux vivants, à l'exception des sangsues;

c) live animals except leeches.

Articles, admission forbidden by law.

d) des objets dont l'admission est interdite par les lois ou règlements de douane ou autres de l'un ou l'autre des pays;

d) articles whose admission is forbidden by the customs or other laws or regulations of either country.

Explosive, etc., articles.

e) des matières explosibles ou inflammables, et, d'une manière générale, des objets dont le transport est dangereux; y compris les objets qui, par leur nature ou par

e) explosive or inflammable articles, and, in general, all articles whose transportation is dangerous, including articles which from their nature or packing may be

leur emballage, peuvent constituer une source de danger pour les employés de la poste, ou salir ou endommager des autres colis. a source of danger to postal employees, or may soil or damage other parcels.

f) les objets obscènes ou immoraux.

f) obscene or immoral articles.

Obscene, etc., articles.

g) en outre, la transmission des pièces de monnaie, du platine, de l'or ou de l'argent, fabriqué ou non, des pierres précieuses, des bijoux, ou d'autres objets précieux est interdite dans les colis pas assurés.

g) it is moreover, forbidden to send coin, platinum, gold, or silver, (whether manufactured or unmanufactured) precious stones, jewels or other precious articles in uninsured parcels.

Designated articles in uninsured parcels.

2. Si des colis tombant sous l'une de ces interdictions ont été admis à tort à l'expédition, l'Administration qui en fait la constatation les traite suivant sa législation et ses règlements intérieurs.

2. If parcels coming under one of these prohibitions have been wrongly accepted for mailing, the Administration detecting them treats them in accordance with its domestic laws and regulations.

Treatment of wrongly accepted parcels.

Les matières explosives ou inflammables, ainsi que les documents, portraits, ou autres objets portant atteints aux bonnes moeurs du public, peuvent être détruites sur place par l'Administration qui les a trouvées dans les courriers.

Explosive or inflammable articles, as well as documents, pictures or other articles injurious to public morals, may be destroyed on the spot by the Administration which has found them in the mails.

Explosives, etc.

Le fait qu'un colis contient une lettre ou une communication ayant le caractère d'une lettre ne peut en aucun cas entraîner le retour à l'expéditeur d'un colis. La lettre est toutefois taxée en vue de la perception du destinataire de l'affranchissement dû, selon le tarif régulier.

The fact that a parcel contains a letter or a communication having the nature of a letter may not in any case entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

Parcel containing a letter.

3. Les deux Administrations se communiquent, au moyen de la "Liste des Objets Interdits" publiée par le Bureau International de l'Union Postale Universelle, la nomenclature de tous les objets interdits. Toutefois, elles n'assument de ce chef aucune responsabilité envers les organes de la douane ou de la police ou envers l'expéditeur.

3. The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility toward the customs or police authorities or the sender.

List of prohibited articles to be published.

Limitation.

# ART. 6.

## Assurance.

Les colis peuvent être assurés jusqu'au montant de 500 francs ou l'équivalent en monnaie du pays d'origine. Cependant, les Chefs des Administrations Postales des deux pays contractants

# ART. 6.

## Insurance.

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting

Insurance.

Maximum amount.

peuvent, d'un commun accord, augmenter ou diminuer ce montant maximum d'assurance.

countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Limitation.

Un colis ne peut donner lieu au paiement d'une indemnité supérieure à la valeur réelle de son contenu, mais il est loisible de l'assurer pour une partie de cette valeur seulement.

A parcel cannot give rise to the payment of an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

#### ART. 7.

#### ART. 7.

Responsibility, etc.

#### *Responsabilité. Indemnité.*

#### *Responsibility. Indemnity.*

Not accepted for ordinary parcels.

1. Les Administrations Postales des deux pays contractants ne seront pas responsables de la perte, de l'abstraction ou du dommage d'un colis ordinaire; mais l'une ou l'autre des Administrations est libre de payer indemnité pour la perte, l'abstraction ou le dommage qui ait eu lieu dans son service, sans recours contre l'autre Administration.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel; but either Administration is at liberty to pay indemnity for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

Indemnity for insured parcels.

Sauf dans les cas mentionnés au paragraphe suivant, les Administrations sont responsables de la perte des colis assurés déposés dans l'un des deux pays contractants pour être livrés dans l'autre, et pour la perte, l'abstraction ou le dommage de leur contenu ou une partie de tel contenu. L'expéditeur ou un autre ayant-droit a le droit, de ce chef, à une indemnité qui corresponde au montant réel de la perte, de l'abstraction ou du dommage. Le montant de l'indemnité est calculé sur la base de la valeur réelle (le prix courant, ou, à son défaut, la valeur ordinaire appréciée) au lieu et à l'époque où le colis a été accepté au transport; pourvu que l'indemnité ne puisse en aucun cas être supérieure à la somme pour laquelle le colis a été assuré, sur laquelle la taxe à la valeur a été perçue, ni au maximum de 100 dollars (500 francs-or).

Except in the cases mentioned in the Section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction or damage to their contents, or a part thereof. The sender, or other rightful claimant, is<sup>1</sup> entitled on this account to an indemnity corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of \$100 (500 gold francs).

Calculation.

Return of postage on loss of parcel.

Dans le cas où l'indemnité est payable pour la perte d'un colis ou pour la destruction ou abstraction de son contenu entier, l'expéditeur a le droit à la restitution des taxes postales, sur demande. Toutefois, les droits d'assurance ne sont remboursés dans aucun cas.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

<sup>1</sup> So in original.

Sauf arrangement spécial contraire entre les pays intéressés, aucune indemnité ne sera payée par l'un ou l'autre des pays pour la perte de colis assurés en transit originaires d'un pays qui ne participe pas à cet Arrangement, à destination de l'un des deux pays contractants.

Lorsqu'un colis avec valeur déclarée provenant d'un pays et destiné à être remis dans l'autre pays est réexpédié de la sur un tiers pays ou y est renvoyé à la demande de l'expéditeur ou du destinataire, l'ayant-droit à l'indemnité, en cas de perte, de spoliation ou d'avarie survenue subséquemment à la réexpédition ou au renvoi du colis par le pays de l'adresse primitive, ne peut prétendre, le cas échéant, qu'à l'indemnité que consent à verser ou-suivant l'entente intervenue entre les pays intéressés directement à la réexpédition ou au renvoi-que doit payer le pays où le fait s'est produit. Chacun des deux pays signataires du présent Arrangement qui réexpédie à tort un colis avec valeur déclarée sur un tiers pays, est responsable envers l'expéditeur dans la même mesure que le pays d'origine, donc dans les limites du présent Arrangement.

2. Les Administrations sont dégagées de toute responsabilité:

a) En cas de colis dont les destinataires ont pris livraison sans réserves.

b) En cas de perte ou d'avarie due à la force majeure; bien que chacune des Administrations puisse, de son gré et sans recours contre l'autre Administration, payer indemnité pour la perte ou l'avarie due à la force majeure, même si l'Administration du pays dans le service duquel la perte ou l'avarie a eu lieu reconnaît que le dommage a été causé par la force majeure.

c) Lorsqu'elles ne sont pas à même de se rendre compte des colis à la suite de la destruction des documents officiels due à la force majeure.

In the absence of special agreement to the contrary between the countries involved, no indemnity will be paid by either country for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

2. The Administrations are relieved of all responsibility:

a) In case of parcels of which the addressee has accepted delivery without reservation.

b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.

c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

Insured parcels originating in a third country.

Reforwarding to a third country, etc.

Responsibility for error.

Exemptions.

Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.

Declared above real value.

Seized, because of false declaration.

Unclaimed within a year.

Matter of no intrinsic value, etc.

Indirect damages or loss.

Prompt payment of compensation.

Deferred payment.

d) Lorsque le dommage s'est produit par la faute ou la négligence de l'expéditeur, du destinataire, ou du représentant de l'un ou l'autre, ou lorsqu'il est dû à la nature de l'envoi.

e) Pour les colis qui contiennent des objets interdits.

f) Au cas où l'expéditeur d'un colis assuré, avec intention frauduleuse, déclare le contenu avec une valeur supérieure à sa valeur réelle; cette règle ne porte préjudice à aucun poursuit judiciaire nécessité par la législation du pays d'origine.

g) Pour les colis saisis par la douane à la suite d'une fausse déclaration de leur contenu.

h) Lorsqu'une réclamation ou une application d'indemnité n'a pas été présentée par le réclamant ou son agent dans la période d'un an à compter du lendemain du dépôt du colis assuré.

i) Pour les colis qui contiennent des objets sans valeur intrinsèque ou des objets périssables, ou des objets qui ne remplissaient pas les stipulations de cet Arrangement, ou qui n'avaient pas été mis à la poste de la manière prescrite; mais le pays responsable de la perte, la spoliation ou l'avarie pourra payer indemnité du chef de tels colis sans recours contre l'autre Administration.

3. Il n'est pas payé d'indemnité pour les dommages indirects ou les bénéfices non réalisés résultant de la perte, de la spoliation, de l'avarie, de la nonlivraison, de la remise à une fausse adresse ou du retard d'un colis assuré expédié d'après les conditions du présent Arrangement.

4. Le paiement de l'indemnité pour un colis assuré sera effectué à l'ayant-droit aussitôt que possible, et au plus tard dans le délai d'un an à compter du lendemain du jour où la réclamation est présentée.

Toutefois, l'Administration postale payeuse peut exceptionnellement différer le paiement de l'indemnité pour une période plus longue que celle stipulée si, à l'expiration dudit délai, elle n'a pu

d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article.

e) For parcels which contain prohibited articles.

f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.

g) For parcels seized by the customs because of false declaration of contents.

h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, mis-delivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

4. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the paying Postal Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine



établir le sort de l'objet dont il s'agit ni la responsabilité encourue.

5. Sauf les cas où le paiement est exceptionnellement différé en conformité avec le deuxième alinéa du paragraphe précédent, l'Administration postale qui se charge du paiement de la compensation est autorisée à payer l'indemnité pour le compte de l'Office qui, ayant été dûment notifié de la demande d'indemnité, a laissé s'écouler neuf mois sans donner de solution à l'affaire.

6. L'obligation de payer l'indemnité incombe à l'Administration postale dont dépend le bureau d'origine, pourvu qu'au cas où l'indemnité est payée au destinataire selon le premier alinéa du paragraphe 1, elle incombe à l'Administration postale de destination.

L'Administration payeuse se réserve le droit de soumettre une demande de remboursement à l'Administration responsable.

Par le fait du paiement de l'indemnité, et jusqu'à concurrence du montant de telle indemnité, l'Administration responsable est subrogée dans les droits de la personne qui l'a reçue, pour tout recours éventuel, soit contre le destinataire, soit contre l'expéditeur ou contre des tiers.

Cependant, si des colis considérés comme perdus sont retrouvés, totalement ou partiellement, la personne à qui l'indemnité a été payée sera avisée qu'elle peut reprendre possession de l'envoi contre restitution du montant de l'indemnité qui lui a été payée.

7. Jusqu'à preuve du contraire, la responsabilité pour un colis assuré incombe à l'Administration qui, ayant reçu le colis sans formuler de réserves et étant mis en possession de tous les moyens réglementaires d'investigation, ne peut établir le sort du colis.

8. Lorsque la perte, la spoliation ou l'avarie d'un colis avec valeur déclarée est constatée lors de l'ouverture du récipient par le

the disposition made of the article in question or the responsibility incurred.

5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed, of the application for indemnity, has let nine months pass without settling the matter.

6. The obligation of paying the indemnity shall rest with the Postal Administration to which the mailing office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of Section 1, it shall rest with the Postal Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

By the fact of the payment of the indemnity, and up to the amount of such indemnity, the responsible Administration is subrogated to the rights of the person who has received the indemnity for all eventual recourse against either the addressee, the sender or third parties.

However, if parcels considered as lost are subsequently found again, in whole or in part, the person to whom the indemnity has been paid will be informed that he may regain possession of the recovered article by repaying the amount of the indemnity which has been paid to him.

7. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations, and being put in possession of all the regulation means of investigation, can not establish the disposition of the parcel.

8. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange

Payment where indemnity delayed nine months.

Country responsible.

Qualification.

*Ante*, p. 1634.

Claim for repayment.

Subrogation of responsible administration.

Lost parcels subsequently found.

Responsibility of receiving office unable to show disposition.

Dispatching office responsible if loss discovered by receiving office.

Exception.	bureau d'échange réceptionnaire et a été signalée régulièrement au bureau d'échange expéditeur, la responsabilité incombe à l'Administration dont dépend ce dernier bureau, à moins qu'il ne soit prouvé que le fait s'est accompli sur le territoire de l'Administration réceptionnaire.	office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred on the territory of the receiving Administration.
Loss, etc., in transit.	9. Si la perte, la spoliation ou l'avarie s'est produite en cours de transport sans qu'il soit possible d'établir sur le territoire ou dans le service de quel pays le fait s'est accompli, les Offices en cause supportent le dommage par parts égales.	9. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.
Repayment to country paying.	10. Le pays responsable de la perte, de la spoliation ou de l'avarie et pour le compte duquel le paiement est effectué, est tenu de rembourser le montant de l'indemnité au pays ayant effectué le paiement. Ce remboursement doit avoir lieu sans retard et, au plus tard, dans le délai de 9 mois après notification du paiement.	10. The country responsible for the loss, rifling or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of 9 months after notification of payment.
Without expense.	11. Ces remboursements au pays créancier doivent être effectués sans frais pour cet Office, soit par mandat de poste, soit par traite, en monnaie ayant cours dans le pays créancier ou par tout autre procédé à convenir mutuellement par voie de correspondance.	11. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in the creditor country or in any other way to be agreed upon mutually by correspondence.
Reimbursement on gold basis.	12. Le remboursement des indemnités doit s'effectuer sur la base de la monnaie-or.	12. The reimbursement of the indemnities must be effected on the basis of gold money.
Loss, etc., of parcel in transit destined for third country.	13. Sauf entente contraire entre les pays intéressés, entente qui peut intervenir par voie de correspondance, aucune indemnité ne sera payée pour la perte, la spoliation ou l'avarie de colis avec valeur déclarée en transit, c'est-à-dire pour des colis avec valeur déclarée originaires de l'un des deux pays ne participant pas au présent Arrangement, ou pour des colis originaires d'un pays ne participant pas à cet Arrangement à destination de l'un des deux pays contractants.	13. Barring contrary agreement between the countries concerned, which agreement may be made by correspondence, no indemnity will be paid for the loss, rifling or damage of an insured parcel in transit, i. e., for insured parcels originating in one of the two contracting countries and destined for countries not participating in the present Agreement, or for parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.
Responsibility for proper packing, etc.	14. L'expéditeur est responsable des défauts de l'emballage et de l'insuffisance de la fermeture et des cachets des colis avec valeur	14. The sender is responsible for defects in the packing and insufficiency in the closing and the seals of insured parcels. Moreover, the

déclarée. D'autre part, les deux Administrations sont dégagées de toute responsabilité en cas de perte, de spoliation ou d'avarie causée par des défauts non remarqués au moment du dépôt.

two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

ART. 8.

ART. 8.

*Certificat de Dépôt. Récépissés.*

*Certificate of Mailing. Receipts.*

Certificate of mailing.

Sur demande, l'expéditeur d'un colis ordinaire peut obtenir un certificat au moment du dépôt du colis. Chaque pays a le droit de percevoir une taxe raisonnable pour tel certificat.

On request, the sender of an ordinary parcel may obtain a certificate at the time of mailing the parcel. Each country has the right to collect a reasonable fee therefor.

Furnished sender on request.

Charge.

L'expéditeur d'un colis avec valeur déclarée recevra, sans charge, au moment de dépôt, un récépissé y relatif.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

Receipt.

ART. 9.

ART. 9.

*Avis de Réception et Feuille de Recherches.*

*Return Receipts and Inquiries.*

Return receipts and inquiries.

1. L'expéditeur d'un colis avec valeur déclarée peut obtenir un avis de réception contre paiement du droit prévu dans le pays d'origine, et dans les conditions établies par le Règlement.

1. The sender of an insured parcel may obtain a return receipt upon payment of the fee provided for in the country of origin, and under the conditions laid down in the Regulations.

Fee.

2. Un droit, que l'Administration d'origine fixe à sa convenance, peut être perçu pour toute réclamation présentée après l'expédition soit d'un colis ordinaire, soit d'un colis avec valeur déclarée, à moins que l'expéditeur n'ait déjà acquitté le droit spécial pour un avis de réception.

2. A charge, which the Administration of origin fixes at its convenience, may be collected for every inquiry presented after mailing an ordinary or insured parcel, unless the sender has already paid the special fee for a return receipt.

Inquiry charge.

Le pays d'origine a également la faculté de percevoir un droit lorsqu'il s'agit de redresser une irrégularité qui n'est pas imputable à la poste.

The country of origin also has the option of collecting a fee when it is a question of correcting an irregularity which is not the fault of the postal service.

Inquiry relative to irregularity.

ART. 10.

ART. 10.

*Retrait et modification d'adresse.*

*Recall and Change of Address.*

Tant qu'un colis n'a pas été remis au destinataire, l'expéditeur peut le retirer ou faire modifier l'adresse. L'Administration postale du pays d'origine peut percevoir et retenir, pour ce service, le droit fixé par ses règlements. Les demandes de retrait ou de

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests

Recall and change of address.

modification d'adresse des colis à destination des Etats-Unis, seront adressés à l'Administration centrale à Washington; ceux qui se rapportent aux colis à destination de la Roumanie seront adressées à l'Administration centrale à București.

## ART. 11.

*Droits de Douane.*

Customs duties.

1. Les colis sont soumis à toutes les prescriptions et dispositions douanières en vigueur dans le pays de destination. Les droits exigibles de ce chef sont perçus sur le destinataire lors de la remise du colis, suivant le règlement des douanes.

2. Les Administrations peuvent s'entendre spécialement par voie de correspondance pour l'échange de colis avec bulletin d'affranchissement.

for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Rumania shall be addressed to the Central Administration at București.

## ART. 11.

*Customs Duties.*

1. The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel, in accordance with the customs regulations.

2. The Administrations may come to a special agreement, by way of correspondence, for the exchange of parcels with prepayment bulletins.

## ART. 12.

*Annulations des Droits de Douane.*

Cancellation of customs duties.

Si les formalités exigées par l'autorité douanière ont été remplies, les droits de douane proprement dits sont annulés, en Roumanie et aux Etats-Unis d'Amérique, sur les colis renvoyés à l'origine ou réexpédiés sur un tiers pays.

## ART. 13.

*Droits de dédouanement, de factage et de magasinage.*

Customs-clearance and delivery charges.

1. L'Administration du pays de destination peut percevoir sur le destinataire, pour l'accomplissement des formalités en douane et la remise à domicile, un droit qui ne peut excéder 100 centimes-or par colis, ainsi qu'un droit supplémentaire jusqu'à concurrence de 50 centimes-or par colis pour chaque nouvelle présentation, lorsque la première présentation est restée infructueuse.

Storage charge.

2. Chaque Administration est autorisée à percevoir un droit de magasinage convenable pour les colis adressés "Poste Restante" ou pour ceux qui ne sont pas

## ART. 12.

*Cancellation of Customs Duties.*

If the formalities required by the customs authorities have been fulfilled, the customs duties properly so-called are canceled, both in Rumania and the United States of America, on parcels returned to origin or reforwarded to a third country.

## ART. 13.

*Customs-Clearance, Delivery and Storage Charges.*

1. The Administration of the country of destination may collect from the addressee, for the fulfillment of customs formalities and delivery at his residence, a charge not exceeding 100 gold centimes per parcel, as well as a supplementary charge of 50 gold centimes per parcel for each new presentation when the first presentation has been unsuccessful.

2. Each Administration is authorized to collect a suitable storage charge for parcels addressed "Poste Restante" or which are not withdrawn within the

retirés dans le délai qu'elle a fixé. Ce droit ne peut toutefois excéder 5 francs-or par colis. period which it has fixed. This charge may not, however, exceed 5 gold francs per parcel.

ART. 14.

*Colis envoyés en fausse direction.*

Les colis ordinaires envoyés en fausse direction sont réexpédiés sur leur véritable destination par la voie la plus directe dont peut disposer l'Administration réexpéditrice. Ils ne peuvent pas être frappés de droits de douane ou autres par cette Administration. Les colis avec valeur déclarée envoyés en fausse direction ne peuvent être réexpédiés que comme tels sur leur destination. En cas d'impossibilité, ils sont renvoyés à l'origine.

Lorsque la réexpédition entraîne le retour du colis au bureau d'origine, l'Administration réexpéditrice rembourse audit bureau les bonifications reçues et signale l'erreur par un Bulletin de Vérification.

Quand la réexpédition entraîne l'acheminement d'un colis à un pays tiers, et si le montant crédité à l'Administration réexpéditrice est insuffisant pour couvrir les frais de la réexpédition qu'elle doit payer, l'Administration réexpéditrice alloue à l'Administration sur laquelle elle réexpédie le colis les bonifications qui sont dues à celle-ci; ensuite elle recouvre le montant de l'insuffisance en le réclamant du bureau d'échange duquel le colis en fausse direction a été reçu. La raison de cette réclamation est notifiée audit bureau d'échange au moyen d'un bulletin de vérification.

ART. 15.

*Réexpédition.*

1. Un colis peut être réexpédié à la suite du changement d'adresse du destinataire dans le pays de destination, sur la demande soit de l'expéditeur soit du destinataire.

La réexpédition d'un colis dans l'intérieur d'un des pays contractants donne lieu à la perception des taxes supplémentaires

ART. 14.

*Missent Parcels.*

Ordinary parcels when missent are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as such. If this is impossible, they are returned to origin.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

ART. 15.

*Forwarding.*

1. A parcel may be redirected in consequence of the addressee's<sup>1</sup> change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges

Missent parcels.

Ordinary parcels.

Insured parcels.

Refund, if parcel returned.

Reforwarding to a third country.

Forwarding.

Redirection.

Charges.

<sup>1</sup> So in original.

prévues par l'Administration de ce pays. Il en est de même, le cas échéant, en ce qui concerne la remise de ce colis à une autre personne au lieu de destination primitif. Ces taxes ne seront pas annulées, même au cas où le colis est renvoyé à l'origine ou réexpédié sur un autre pays.

provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

Postage charges, etc.

2. Si un colis doit être réexpédié sur un des deux pays signataires du présent Arrangement, il est passible des nouvelles taxes de transport, et, le cas échéant, de la taxe à la valeur, à moins que ces taxes n'aient pas été payées d'avance. Les nouveaux droits sont perçus sur le destinataire par l'Administration qui effectue la remise. Les colis avec valeur déclarée doivent être réexpédiés comme tels.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

Parcels reforwarded or returned to another country.

3. Sur demande de l'expéditeur ou du destinataire, les colis peuvent aussi être réexpédiés sur un autre pays ou y être renvoyés. Les colis avec valeur déclarée ne peuvent cependant être réexpédiés ou renvoyés que comme tels. Les expéditeurs peuvent revêtir les colis de la mention "Ne pas réexpédier sur un tiers pays." Dans ce cas, les colis ne doivent être réexpédiés sur aucun autre pays. En cas de perte, de spoliation ou d'avarie d'un colis avec valeur déclarée réexpédié sur un tiers pays ou renvoyé par ce pays, l'indemnité est déterminée exclusivement d'après les dispositions de l'Article 7, Paragraphe 1; 5<sup>ème</sup> alinéa, du présent Arrangement.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country." In that case the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country, or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article 7, Section 1, 5th paragraph.

#### ART. 16.

#### ART. 16.

Non-delivery.

*Non-Livraison.*

*Non-Delivery.*

Returned to sender; new charges, etc.

1. Les colis tombés en rebut, renvoyés à l'expéditeur, sont passibles des nouveaux frais de transport, ainsi que, le cas échéant, de la taxe à la valeur, et sont renvoyés comme colis de la même catégorie qu'à l'aller. Les taxes sont exigibles de l'expéditeur et perçues par l'Administration qui lui rend les colis.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

Treatment, in case of non-delivery.

2. Au moment du dépôt, l'expéditeur peut demander, pour le cas de non-remise:

2. At the time of mailing, the sender may request, in the event of non-delivery:

a) que le colis lui soit immédiatement renvoyé,  
b) qu'il soit considéré comme abandonné,  
c) qu'il soit remis à une autre personne dans le pays de destination.

Si l'expéditeur use de cette faculté, il doit revêtir le colis et le bulletin d'expédition d'une des mentions suivantes:

"En cas de non-remise, le colis doit être renvoyé immédiatement";

"En cas de non-remise, le colis doit être considéré comme abandonné";

"En cas de non-remise, le colis doit être délivré à -----".

Aucune mention autre que celles prévues ci-dessus n'est admise.

3. Sauf disposition contraire, les colis tombés en rebut sont renvoyés à l'origine sans avis préalable 30 jours après leur arrivée au bureau de destination. Les colis que le destinataire refuse d'accepter doivent être renvoyés immédiatement. Dans tous les cas le motif de la non-remise doit être indiqué sur le colis ainsi que sur le bulletin d'expédition.

4. Les colis sujets à détérioration ou à corruption peuvent être vendus immédiatement, même en route, à l'aller ou au retour, sans avis préalable, et sans formalité judiciaire, au profit de qui de droit.

Si, pour une cause quelconque, la vente est impossible, les objets détériorés ou corrompus sont détruits. La vente ou la destruction donne lieu à l'établissement d'un procès-verbal qui est envoyé à l'Administration d'origine.

5. Les colis tombés en rebut dont l'expéditeur a fait abandon, peuvent, à l'expiration du délai de 30 jours, être vendus au profit de l'Administration du pays de destination. Toutefois, s'il s'agit d'un colis avec valeur déclarée, il est dressé un procès-verbal qui doit être envoyé à l'Administration du pays d'origine. De même, l'administration du pays d'origine doit être avisée, lorsqu'un colis avec valeur déclarée tombe en rebut, n'est pas renvoyé à l'origine.

a) that the parcel be returned to him immediately,

b) that it be considered as abandoned; or,

c) that it be delivered to another person in the country of destination.

If the sender makes use of this option, he must mark the parcel and the dispatch note with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to ---".

No note other than those provided for above is permitted.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately, even enroute on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

Restriction.

Undeliverable parcels.

Parcels liable to deterioration.

Abandoned parcels.

Provisions governing non-deliverable parcels.

6. Les stipulations de l'Art. 17 paragraphe 3, s'appliqueront à un colis qui est retourné à la suite de non-livraison.

#### ART. 17.

Charges.

#### *Bonification des taxes.*

Credits.

1. Pour chaque colis échangé entre les pays contractants, l'Office expéditeur bonifie à l'Office destinataire les quotes-parts revenant à ce dernier, et indiquées dans le Règlement d'Exécution.

Parcels destined for a third country, etc.

2. Les sommes à bonifier pour un colis en transit, c'est-à-dire, à destination soit d'une possession, soit d'un tiers pays, sont indiquées de même dans le Règlement d'Exécution.

Reforwarding or return to origin.

3. En cas de réexpédition ou retour à l'origine d'un colis, si des nouvelles taxes d'affranchissement, et, s'il s'agit de colis assurés, des nouveaux droits d'assurance, sont perçus par l'Office réexpéditeur, le colis est traité comme s'il avait origine dans ce pays. Autrement, l'Office réexpéditeur recouvre de l'autre Office la quote-part qui lui est due, c'est-à-dire, suivant le cas:

a) les taxes prescrites par le paragraphe 1 ci-dessus;

b) les taxes de réexpédition ou retour;

c) les droits de dédouanement de remise et de magasinage prévus à l'Article 13;

d) les taxes non-postales qui ne peuvent pas être annulées.

Reforwarding or return to third country.

En cas de réexpédition ou retour à un tiers pays, les frais totaux, à savoir, celles des taxes mentionnées sous (a), (b), (c) et (d) ci-dessus qui sont applicables, suivront le colis, mais au cas où le pays tiers intéressé refuse d'assumer les frais parce qu'ils ne peuvent être perçus du destinataire ou de l'expéditeur, suivant le cas, ou pour une autre raison quelconque, ils seront portés de nouveau à la charge du pays d'origine.

Au cas d'un colis renvoyé ou réexpédié en transit à travers de l'une Administration sur l'autre, l'Administration intermédiaire

6. The provisions of Art. 17, Section 3, shall be applied to a parcel which is returned in consequence of non-delivery.

#### ART. 17.

#### *Charges.*

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination the quotas due to the latter, and indicated in the Regulations of Execution.

2. The sums to be paid for a parcel in transit, that is, destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

a) the charges prescribed by Section 1 above;

b) the charges for reforwarding or return;

c) the customs clearance, delivery and storage charges provided for by Article 13;

d) the non-postal charges whose cancellation cannot be obtained.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b), (c) and (d) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or forwarded in transit through one of the two Administrations to or from the other, the inter-



pourra exiger aussi la somme qui lui est due pour tout autre service territorial ou maritime effectué, ainsi que tous montants dûs à une autre ou des autres Administrations quelconques qui sont intéressées.

mediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

ART. 18.

*Colis-Avion*

Les Chefs des Administrations Postales des deux pays contractants ont le droit de fixer, d'un commun accord, la surtaxe aérienne et les autres conditions, au cas où les colis sont transportés par voie aérienne.

ART. 18.

*Air Parcels.*

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

Air parcels.

Surtax.

ART. 19.

*Suspension du Service.*

Lorsque des circonstances extraordinaires justifient la mesure, l'une ou l'autre des Administrations peut suspendre, totalement ou partiellement, le service des colis ordinaires et/ou des colis avec valeur déclarée ou peut le restreindre à quelques bureaux, pourvu qu'elle en donne immédiatement avis à l'autre Administration, au besoin par télégraphe.

ART. 19.

*Suspension of Service.*

In extraordinary circumstances such as will justify the measure, either Administration may suspend, totally or partially, the service of ordinary and/or insured parcels or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Suspension of service.

ART. 20.

*Dispositions non prévues par le Present Arrangement.*

1. A moins qu'elles ne soient réglées par le présent Arrangement toutes les questions concernant les demandes de retrait ou de renvoi des colis, et l'établissement et le renvoi des avis de réception et le règlement des demandes d'indemnité pour les colis assurés, seront traitées suivant les dispositions de la Convention postale universelle et de son Règlement d'Exécution, en tant que celles-ci sont applicables et ne sont pas contraires à celles qui précèdent. Si le cas n'est prévu nulle part, la législation interne des Etats-Unis d'Amérique ou de la Roumanie, ou les décisions prises par l'un ou l'autre des pays, sont applicables dans le pays respectif.

ART. 20.

*Matters not Provided for in the Present Agreement.*

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of Rumania, or the decisions made by one country or the other, are applicable in the respective country.

Matters not provided for herein.

Universal Postal Convention, etc., provisions to govern.  
49 Stat. 2741.

Details to be fixed by common consent.

2. Les détails relatifs à l'application du présent Arrangement seront fixés par les deux Administrations dans un Règlement d'Exécution dont les dispositions pourront être modifiées ou complétées d'un commun accord par voie de correspondance. Un même accord par voie de correspondance, pourra intervenir en vue de l'échange de colis contre remboursement.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of parcels with trade charges (C. O. D. parcels).

C. O. D. parcels.

Mutual notification of postal laws, etc.

3. Les deux Administrations se notifient mutuellement leurs lois, ordonnances et tarifs concernant l'échange des colis postaux, ainsi que toutes les modifications de taxes qui y seraient introduites dans la suite.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

ART. 21.

*Durée de l'Arrangement.*

ART. 21.

*Duration of the Agreement.*

When effective.

1. Le présent Arrangement, entrera en vigueur après avoir été ratifié par les parties contractantes.

1. The present Agreement will enter into force after having been ratified by the contracting parties.

Provisional application.

Toutefois, il est loisible aux deux Administrations de l'appliquer provisoirement dès le 1<sup>er</sup> janvier 1936.

However, it is permissible for the two Administrations to apply it provisionally from January 1, 1936.

Duration.

2. Il déployera ses effets aussi longtemps qu'il n'aura pas été dénoncé 6 mois à l'avance par l'une ou l'autre des deux Administrations.

2. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Signatures.

Fait en double expédition et signé à Washington, le 10/VIII-1937 et à Bucaresti, le 12/III-1937

Done in duplicate and signed at Washington, the tenth day of August 1937 and at Bucaresti, the twelfth day of March, 1937

*Le Directeur Général des Postes, des Télégraphes et des Téléphones.*

*București,  
Roumanie.*

[SEAL] JAMES A FARLEY  
*The Postmaster General of  
the United States of America.  
Washington, D. C.*

[SEAL] Mg. I. PITULESCU

Approval.

The foregoing Parcel Post Agreement between the United States of America and Rumania has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

WASHINGTON, August 20, 1937

Règlement d'Exécution de  
l'Arrangement concernant l'Echange  
des Colis Postaux  
conclu entre  
la Roumanie et  
les Etats-Unis d'Amérique.

Regulations of Execution for  
the Agreement concerning the Exchange  
of Parcel Post  
concluded between  
Rumania and  
the United States of America.

Regulations of Exe-  
cution.

ART. 1.

*Conditionnement des Colis.*

1. Le nom et l'Adresse de l'expé-  
diteur et du destinataire doivent  
être écrits d'une façon lisible et  
exacte, si possible sur le colis  
même ou sur une étiquette fixée  
solidement à l'envoi.

Il est recommandé d'insérer un  
double de l'adresse dans chaque  
colis, surtout lorsque l'usage d'une  
étiquette volante est rendu né-  
cessaire par le conditionnement  
ou par la forme de l'envoi.

Les colis dont l'adresse de l'ex-  
péditeur ou du destinataire con-  
siste en initiales seulement ne  
sont pas admis, à moins que les  
initiales ne soient la raison so-  
ciale adoptée de l'expéditeur ou du  
destinataire, généralement  
reconnu.

Les adresses au crayon ne sont  
pas admises. Sont toutefois ac-  
ceptées les adresses écrites au  
crayon-encre, sur un fond préa-  
lablement mouillé.

2. Chaque colis doit être em-  
ballé de manière que le contenu  
soit préservé pendant toute la  
durée du transport, et de façon  
à empêcher le contenu d'endom-  
mager des autres colis ou envois,  
ou blesser les agents postaux.  
L'emballage doit protéger le con-  
tenu suffisamment afin que les  
traces soient faciles à découvrir  
en cas de spoliation.

Les colis avec valeur déclarée  
doivent être scellés par des cachets  
à la cire, par des plombs ou par un  
autre moyen équivalent. Pour les  
colis ordinaires, un ficelage soi-  
gneux suffit comme moyen de fer-  
meture, mais ils peuvent aussi  
être scellés.

ART. 1.

*Preparation of parcels.*

1. The name and address of the  
sender and of the addressee must  
be written, legibly and correctly,  
if possible on the parcel itself,  
or on a label affixed securely to  
the parcel.

It is recommended that a dupli-  
cate of the address be inserted in  
every parcel, especially when the  
use of a tag is rendered necessary  
by the packing or form of the  
parcel.

Parcels on which the name of the  
sender or of the addressee is indi-  
cated merely by initials are not  
admitted unless the initials are the  
adopted trade name of the sender,  
or addressee, which is generally  
understood.

Addresses in pencil are not ad-  
mitted. However, addresses writ-  
ten in indelible pencil on a previ-  
ously dampened surface are ac-  
cepted.

2. Each parcel must be packed  
in such a manner that the contents  
are protected over the whole  
route, and in such a way as to  
prevent the contents from damag-  
ing other parcels or objects or  
injuring postal agents. The pack-  
ing must protect the contents  
sufficiently that, in case of rifling,  
the traces thereof may be easily  
discovered.

Insured parcels must be sealed  
with wax or lead or by some equiv-  
alent means. For ordinary par-  
cels, careful tying is sufficient as  
a mode of closing, but they may  
also be sealed.

Preparation of par-  
cels.

Comme mesure de sécurité, chaque Administration peut exiger qu'une empreinte ou marque spéciale de l'expéditeur figure sur les plombs ou cachets de fermeture des colis avec valeur déclarée.

L'Administration des douanes du pays de destination est autorisée à ouvrir les colis. A cet effet, les cachets ou toute autre fermeture peuvent être brisés ou rompus. Les envois ouverts par la douane doivent être refermés et, en outre, scellés d'office, si l'expéditeur les avait scellés.

3. Pour les colis avec valeur déclarée, le montant de la valeur déclarée doit figurer sur le colis, exprimé dans la monnaie du pays d'origine, en caractères latins. Ce montant doit être converti en francs-or par l'expéditeur ou par le bureau d'origine, et le résultat de la conversion est ajouté au-dessous de l'indication originale. Le montant de la valeur assurée doit aussi être indiqué sur le bulletin d'expédition.

4. Chaque colis avec valeur déclarée doit porter du côté de l'adresse un numéro (insurance number) et l'indication "insured" ou "valeur déclarée". Le même numéro d'assurance et la même annotation doivent également figurer sur le bulletin d'expédition.

5. Les étiquettes ou timbres-poste apposés sur les colis avec valeur déclarée doivent être espacés afin qu'ils ne puissent servir à cacher des lésions de l'emballage. Ils ne doivent pas, non plus, être repliés sur deux faces de l'emballage, de manière à couvrir la bordure.

6. Les liquides et les corps facilement liquéfiables doivent être expédiés dans un double récipient. Entre le premier (bouteille, flacon, boîte, etc.) et le second (boîte en métal, en bois résistant, en fibre de solide qualité ou récipient de résistance équivalente), une espace doit être laissée qui sera remplie de sciure, de son ou de toute autre matière spongieuse, en quantité suffisante pour absorber tout le liquide en cas de bris du récipient.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals of<sup>1</sup> any other fastenings may be broken. Parcels opened by the customs must be refastened and also officially sealed, if the sender has sealed them.

3. For insured parcels, the amount of insured value must appear on the parcel in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin, and the result of the conversion is added below the original indication. The amount of the insured value must also be indicated on the dispatch note.

4. Each insured parcel must bear on the address side an insurance number and the notation "Insured" or "Valeur déclarée". The same insurance number and notation must also be shown on the dispatch note.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither must they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiber-board, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

<sup>1</sup> So in original.

7. Les poudres et les matières colorantes en poudre doivent être emballés dans de fortes boîtes en fer-blanc ou autre métal, qui, après avoir été soudées, seront placées à leur tour dans des emballages extérieurs résistants de manière à exclure tout endommagement d'autres envois.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

ART. 2.

*Déclarations en douane et Bulletins d'Expédition.*

1. L'expéditeur doit préparer une déclaration en douane et un bulletin d'expédition pour chaque colis expédié aux Etats-Unis d'Amérique, et deux déclarations en douane et un bulletin d'expédition pour chaque colis expédié à la Roumanie, sur des formules spéciales fournies à cet effet par le pays d'origine.

La déclaration en douane doit fournir une description générale du colis, une liste exacte et détaillée de son contenu et de sa valeur, la date de sa mise à la poste, le poids réel, le nom et l'adresse de l'expéditeur, et le nom et l'adresse du destinataire; et elle sera attachée solidement au colis.

Le bulletin d'expédition doit indiquer le bureau d'origine, le nom et l'adresse de l'expéditeur, le nombre de déclarations en douane, le poids du colis, le port payé, le nom et l'adresse du destinataire, et le bureau de destination; et il sera attaché solidement au colis.

Toutefois, par exception à ce qui précède, lorsque plus d'un colis non assuré est déposé simultanément par le même expéditeur à l'adresse du même destinataire, l'expéditeur ne doit nécessairement préparer qu'une déclaration en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires de la Roumanie; ou deux déclarations en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires des Etats-Unis d'Amérique. Telles déclarations en douane et tels bulletins d'expédition doivent indiquer,

ART. 2.

*Customs Declarations and Dispatch Notes.*

1. The sender shall prepare one customs declaration and one dispatch note for each parcel sent to the United States of America, and two customs declarations and one dispatch note for each parcel sent to Rumania, upon special forms provided for the purpose by the country of origin.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, actual weight, the sender's name and address and the name and address of the addressee, and shall be securely attached to the parcel.

The dispatch note shall show the office of mailing, the name and address of the sender, the number of customs declarations, the weight of the parcel, the postage paid, the name and address of the addressee, and the office of destination and shall be securely attached to the parcel.

However, as an exception to the foregoing, when more than one uninsured parcel is mailed simultaneously by the same sender to the same addressee at the same address, the sender need prepare only one customs declaration and one dispatch note for each lot of not more than three parcels sent from Rumania, and two customs declarations and one dispatch note in the case of each lot of not more than three parcels sent from the United States of America, which customs declarations and dispatch notes shall show, in addition to the particulars set forth in the pre-

Customs declarations and dispatch notes.

outre les détails prévus aux deux alinéas précédents, le nombre total de colis constituant le lot entier; et ils seront attachés solidement à l'un des colis. Dans de tels cas, chaque colis d'un groupe doit être numéroté 1, 2 ou 3, à titre de numéros d'identification; et lorsque plus de trois colis sont envoyés simultanément chaque groupe est désignée par un lettre (a, b, c, etc.); pour exemple, lorsqu'il y a deux groupes de trois colis chacune, les colis doivent être marqués "a-1", "a-2" et "a-3"; et "b-1", "b-2" et "b-3".

2. Les Administrations n'acceptent aucune responsabilité pour l'exactitude des déclarations en douane ni des bulletins d'expédition.

#### ART. 3.

##### *Avis de réception.*

##### *Return receipts.*

1. Quant à un colis pour lequel un avis de réception est demandé, le bureau d'origine fait figurer sur le colis les lettres ou les mots "A. R.", ou "Avis de Réception." Le bureau d'origine, ou un autre bureau quelconque désigné par l'Administration expéditrice, doit remplir une formule d'avis de réception et l'attacher au colis. Si la formule ne parvient pas au bureau de destination, celui-ci prépare un duplicata.

2. Le bureau de destination, après avoir dûment rempli la formule d'avis de réception, la renvoie en franchise de port à l'adresse de l'expéditeur du colis.

3. Lorsque l'expéditeur demande un avis de réception postérieurement au dépôt du colis, le bureau d'origine remplit régulièrement une formule d'avis de réception tout en y attachant une formule de réclamation pourvue des détails relatifs à l'expédition du colis, et la transmet au bureau de destination du colis. En cas de livraison régulière du colis, le bureau de destination retire la formule de réclamation, et l'avis de réception est traité de la manière prescrite au paragraphe précédent.

ceding two paragraphs, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. In such case, each parcel in a group must be numbered 1, 2 or 3, as identification numbers, and when more than 3 parcels are sent at the same time each group is indicated by a letter (a, b, c, etc.); for example, when there are 2 groups of 3 parcels each, the parcels shall be marked "a-1", "a-2" and "a-3" and "b-1", "b-2" and "b-3".

2. The Administrations accept no responsibility for the correctness of the customs declarations or dispatch notes.

#### ART. 3.

##### *Return Receipts.*

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Avis de Réception." The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

ART. 4.

*Réceptients.*

1. Chaque Administration pourvoit à l'acquisition des sacs nécessaires pour l'expédition de ses colis. Chaque sac doit être marqué de façon à indiquer le nom du bureau ou du pays auquel il appartient. Les sacs vides doivent être renvoyés au pays d'origine par le prochain courrier.

2. Il y a lieu d'indiquer sur la feuille de route tant le nombre de sacs utilisés pour la confection de la dépêche que celui des sacs vides en retour. A l'aide de ces indications, chaque Administration exerce un contrôle sur la rentrée des réceptients qui lui appartiennent. Au cas où ce contrôle démontrerait que le dix pour cent du nombre total des sacs utilisés pendant une année n'a pas été renvoyé, la valeur des sacs manquants doit être remboursée à l'office expéditeur.

ART. 5.

*Echange des colis.*

1. Les colis sont échangés dans des sacs clos au moyen de cachets ou de plombs, entre les bureaux désignés par les Administrations. Ils sont transmis au pays de destination aux frais du pays d'origine et de la manière qui convient à ce dernier.

Le poids de chaque sac ne doit pas dépasser 40 kilogrammes.

2. Les colis assurés seront compris dans des sacs à part de ceux dans lesquels les colis ordinaires sont insérés, et les étiquettes des sacs qui contiennent les colis assurés doivent être marquées avec tels symboles distinctifs qui seraient adoptés de temps en temps.

ART. 6.

*Inscription des colis.*

1. Il doit être établi des feuilles de route distinctes pour les colis ordinaires, d'une part, et pour les colis avec valeur déclarée, d'autre part.

ART. 4.

*Receptacles.*

1. Each Administration provides itself with the necessary sacks for the exchange of its parcels. Each bag shall be marked to show the name of the office or country to which it belongs. The empty sacks must be returned to the country of origin by the next mail.

2. It is necessary to indicate in the parcel bill both the number of sacks used for the preparation of the dispatch and the number of empty sacks returned. With the aid of these indications, each Administration exercises a control over the return of the receptacles belonging to it. In case that this control shows that ten per cent of the total number of sacks used during a year have not been returned, the value of the missing sacks must be repaid to the dispatching office.

ART. 5.

*Exchange of Parcels.*

1. The parcels are exchanged in sacks closed by means of wax or lead seals, between the offices designated by the Administrations. They are transmitted to the country of destination at the expense of the country of origin and in a manner convenient to the latter.

The weight of each sack must not exceed 40 kilograms.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

ART. 6.

*Billing of Parcels.*

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

Receptacles.

Exchange of parcels.

Billing of parcels.

Les feuilles de route sont établies en double exemplaire. L'originale est expédié par la poste aux lettres, tandis que le duplicata est inséré dans l'un des sacs. Le sac renfermant la feuille de route est désigné par la lettre "F" tracée d'une manière apparente sur l'étiquette.

2. Les colis ordinaires compris dans chaque dépêche à destination de la Roumanie sont inscrits en bloc sur les feuilles de route, mais par catégories d'envois jusqu'à 1 kilogramme, de 1 à 5 kilogrammes, et de 5 à 10 kilogrammes.

Les colis ordinaires compris dans chaque dépêche à destination des Etats-Unis d'Amérique sont inscrits sur les feuilles de route par la seule mention du nombre total des colis et de leur poids net total.

3. Les colis avec valeur déclarée sont inscrits isolément sur les feuilles de route, avec indication du numéro (insurance number) et du nom du bureau d'origine.

Pour les colis avec valeur déclarée à destination de la Roumanie, les feuilles de route doivent porter aussi l'indication de la coupure de poids à laquelle les colis appartiennent.

Pour les colis avec valeur déclarée à destination des Etats-Unis d'Amérique, les feuilles de route doivent porter, en outre, l'indication du poids net total des colis.

4. Les colis transmis à découvert doivent être inscrits séparément sur les feuilles de route.

5. Les colis retournés ou réexpédiés doivent être inscrits isolément sur les feuilles de route et être suivis du mot "Retourné" ou "Réexpédié", selon le cas. Une indication de frais dus pour ces colis doit figurer dans la colonne "Observations".

6. Le nombre total des sacs compris dans chaque dépêche doit aussi figurer sur les feuilles de route.

7. Chaque bureau d'échange expéditeur numérote les feuilles de route à l'angle gauche supérieur d'après une série annuelle. Le dernier numéro de l'année

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to Rumania are to be entered on the parcel bills in bulk, but by classes of parcels up to 1 kilogram, from 1 to 5 kilograms, and from 5 to 10 kilograms.

The ordinary parcels included in each dispatch sent to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin.

In the case of insured parcels for Rumania, the parcel bills must also show the indication of the division of weight to which the parcel belongs.

In the case of insured parcels for the United States of America, the parcel bills must also show the total net weight of the parcels.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding



précédente doit être mentionné sur la première feuille de la nouvelle année. year must be mentioned on the first bill of the following year.

8. La mode exacte d'avis des colis ou des récipients les contenant expédiés par l'une des Administrations en transit par l'autre, ainsi que tous les détails en connexion avec la manière d'avis de tels colis ou récipients non prévus par cet Arrangement, sera réglée d'un commun accord par voie de correspondance entre les deux Administrations.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

ART. 7.

*Vérification par les bureaux d'échange.*

1. A la réception d'une dépêche le bureau d'échange destinataire procède à sa vérification. Les inscriptions sur la feuille de route doivent être vérifiées exactement. Chaque erreur ou omission doit être portée immédiatement à la connaissance du bureau d'échange expéditeur au moyen d'un bulletin de vérification. Une dépêche est considérée comme ayant été trouvée en ordre à tous égards, lorsqu'il n'est pas dressé de bulletin de vérification.

Si l'on constate une erreur ou une irrégularité à la réception d'une dépêche, toutes les pièces pouvant servir de preuves à l'appui en vue de recherches ultérieures ou de l'examen de demandes d'indemnité doivent être conservées.

2. Le bureau d'échange expéditeur auquel un bulletin de vérification est envoyé doit le renvoyer après l'avoir examiné et y apporté ses observations éventuelles. Ce bulletin est alors annexé aux feuilles de route des colis auxquelles il se rapporte. Les corrections apportées à une feuille de route qui ne sont pas appuyées par des documents sont considérées comme nulles et non avenues.

3. Si nécessaire, le bureau d'échange expéditeur peut de même être avisé par télégramme, aux frais de l'Office expéditeur de tel télégramme.

ART. 7.

*Verification by the Exchange Office.*

1. Upon the receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

Verification by exchange office.

4. En cas de manque d'une feuille de route, il en est établi un duplicata dont une copie est envoyée au bureau d'échange expéditeur de la dépêche.

5. Le bureau d'échange qui reçoit d'un bureau correspondant un colis qui se trouve endommagé ou insuffisamment emballé doit réexpédier tel colis après remballage s'il est nécessaire, tout en préservant l'emballage original autant que possible.

Si le dommage est tel que le contenu du colis aurait pu être soustrait, le bureau doit d'abord ouvrir le colis d'office et en vérifier le contenu.

Dans l'un ou l'autre cas, le poids du colis sera vérifié avant et après le remballage, et indiqué sur l'emballage du colis même. Cette indication sera suivie par la note "Remballé à-----" (Repacked at-----) ainsi que la signature des agents ayant effectué tel remballage.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must re-dispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Remballé à-----" ("Repacked at-----"), and the signature of the agents who have effected such repacking.

#### ART. 8.

##### *Bonification des quotes-parts.*

##### Payments.

1. Les quotes-parts terminales à bonifier par l'Office expéditeur à l'Office destinataire, en vertu de l'Article 17, paragraphe 1, de l'Arrangement, sont les suivantes:

*Ante, p. 1644.*

##### *A. Par la Roumanie aux Etats-Unis d'Amérique:*

70 centimes-or par kilogramme, sur la base du poids net en bloc (bulk net weight) de chaque dépêche.

Cette taxe s'applique aussi aux colis à destination de l'Alaska. Elle est réduite à 35 centimes-or par kilogramme pour les colis à destination de Puerto Rico, des Iles Vierges, de Guam, de Samoa, et de Hawaii.

##### *B. Par les Etats-Unis d'Amérique à la Roumanie:*

##### Taxe par colis:

Jusqu'à 1 kg.-----	85 cm.-or
Au delà de 1 kg. jusqu'à 5 kg.-----	1.25 fr.-or
Au delà de 5 kg. jusqu'à 10 kg.-----	2.25 fr.-or

#### ART. 8.

##### *Payments.*

1. The terminal quotas to be credited by the dispatching Office to the Office of destination, by virtue of Article 17, Section 1, of the Agreement, are the following:

##### *A. By Rumania to the United States of America:*

70 gold centimes per kilogram, based on the bulk net weight of each dispatch.

This rate applies also to parcels for Alaska. The rate is reduced to 35 gold centimes per kilogram for parcels for Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii.

##### *B. By the United States of America to Rumania:*

##### Rate per parcel:

Up to 1 kg.-----	85 gold cms.
From 1 up to 5 kg.-----	1.25 gold frs.
From 5 up to 10 kg.-----	2.25 gold frs.

En outre, pour les colis assurés expédiés de l'un des pays sur l'autre, il sera bonifié une quote-part terminale d'assurance de 10 centimes-or par colis.

2. Les quotes-parts à bonifier pour les colis expédiés par une Administration à l'autre, en vue de leur transmission ultérieure à une possession ou à un pays tiers, seront fixées par l'Administration intermédiaire.

3. Les taxes terminales et de transit susmentionnées peuvent être réduites ou majorées, moyennant avertissement donné trois mois à l'avance par l'un pays à l'autre. La réduction ou majoration sera valable pour un an au moins.

In addition, in the case of insured parcels sent from either country to the other, there shall be paid a terminal insurance credit of 10 centimes gold per parcel.

2. The quotas to be credited for parcels dispatched by one Administration to the other for subsequent transmission to a possession or to a third country will be fixed by the intermediate Administration.

3. The terminal charges and transit rates above specified may be reduced or increased on three months previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

#### ARTICLE 9.

##### *Décompte.*

1. A la fin de chaque trimestre, chaque Administration établit un compte sur la base des feuilles de route.

2. Ces comptes, accompagnés des feuilles de route et, le cas échéant, des copies des bulletins de vérification s'y rapportant, doivent être soumis à l'examen de l'Administration correspondante dans le courant du mois qui suit le trimestre auquel ils se rapportent.

3. La récapitulation, l'envoi, l'examen et l'acceptation de ces comptes ne doivent pas être retardés et le règlement due solde aura lieu, au plus tard, à l'expiration du trimestre suivant.

4. Le solde résultant de la balance des comptes entre les deux Administrations est payé par traite à vue, tirée sur New York ou par un autre moyen convenu réciproquement par voie de correspondance. Les frais de paiement sont à la charge de l'Administration débitrice.

#### ARTICLE 10.

##### *Notifications Diverses.*

Les Administrations se communiqueront mutuellement un résumé des dispositions de leurs lois

#### ARTICLE 9.

##### *Accounting.*

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

#### ARTICLE 10.

##### *Miscellaneous Notifications.*

The Administrations shall communicate to each other a summary of the provisions of their laws or

Accounting.

Miscellaneous notifications.

ou règlements applicables aux colis échangés entre les deux pays contractants, ainsi que tous les autres détails nécessaires pour l'exécution de l'échange des colis.

Effective date and duration.

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement concernant l'Echange des Colis Postaux, et aura la même durée que cet Arrangement.

Signatures.

Fait en double expédition et signé à Washington, le 10/VIII-1937 et à București, le 12/III-1937

regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Done in duplicate and signed at Washington, the tenth day of August 1937 and at București, the twelfth day of March 1937.

*Le Directeur Général des Postes, des Télégraphes et des Téléphones.*

*București,  
Roumanie.*

[SEAL] MG. I. PITULESCU

[SEAL] JAMES A FARLEY  
*The Postmaster General of  
the United States of America.  
Washington, D. C.*

Approval by the President.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Rumania have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

WASHINGTON, August 20, 1937

*Postal Union of the Americas and Spain, convention, final protocol, and regulations of execution; resolutions of the Congress; agreement relative to parcel post, and final protocol. Signed at Panamá, December 22, 1936; ratified by the Postmaster General, August 12, 1937; approved by the President, August 20, 1937.*

December 22, 1936

# UNIÓN POSTAL DE LAS AMÉRICAS Y ESPAÑA

# POSTAL UNION OF THE AMERICAS AND SPAIN<sup>1</sup>

Postal Union of the Americas and Spain.

## CONVENIO

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Los infrascriptos, Plenipotenciarios de los Gobiernos de los países arriba enunciados, reunidos en Congreso en la ciudad de Panamá, República de Panamá, haciendo uso del derecho que les concede el artículo 5 del Convenio vigente de la Unión Postal Universal, e inspirándose en el deseo de extender y perfeccionar sus relaciones postales y de establecer una solidaridad de acción capaz de representar eficazmente en los Congresos Postales Universales sus intereses comunes, en lo que se refiere a las comunicaciones por correo, han determinado celebrar, a reserva de ratificación, el Convenio siguiente:

## ARTICULO 1

*Unión Postal de las Américas y España*

Los países contratantes, de acuerdo con la precedente declaración constituyen, bajo la denominación de Unión Postal de las Américas y España, un solo territorio postal.

## CONVENTION

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries above enumerated, assembled in Congress in the city of Panama, Republic of Panama, making use of the right granted them by Article 5 of the Convention of the Universal Postal Union in force, and inspired by the desire to extend and perfect their postal relations and establish a solidarity of action capable of representing effectively in Universal Postal Congresses their common interests in regard to communications by mail, have determined to conclude, subject to ratification, the following Convention:

## ARTICLE 1

*Postal Union of the Americas and Spain*

The contracting countries, in accordance with the foregoing declaration, constitute, under the name of *Postal Union of the Americas and Spain*, a single postal territory.

Convention.

Contracting Powers.

Source of authority.

49 Stat. 2746.

<sup>1</sup> Translation by Post Office Department.

## ARTICULO 2

*Uniones restringidas*

Restricted unions.

1. Los países contratantes, ya sea por su situación limítrofe, ya sea por la intensidad de sus relaciones postales, podrán establecer entre sí uniones más estrechas, con el fin de reducir tarifas o introducir otras mejoras sobre cualquiera de los servicios a que se refiere el presente Convenio o los Acuerdos especiales celebrados por este Congreso.

Signatories may adopt resolutions among themselves.

2. Asimismo, y en lo que concierne a asuntos no previstos en el presente Convenio o en el de la Unión Postal Universal, los países signatarios podrán adoptar entre sí las resoluciones que estimen precisas, por medio de correspondencia, o si fuere necesario, ajustando un Acuerdo especial, de conformidad con la autorización que les confiere el presente artículo o su legislación interna.

## ARTICLE 2

*Restricted Unions*

1. The contracting countries, whether on account of their adjacent location or on account of the intensity of their postal relations, may establish closer unions among themselves, with a view to the reduction of rates or the introduction of other improvements in any of the services referred to in the present Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not provided for in the present Convention, or in that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they deem necessary, through correspondence, or, if necessary, by establishing a special Agreement, in accordance with the authorization conferred upon them by the present Article or their domestic legislation.

## ARTICULO 3

*Tránsito libre y gratuito*

Free and gratuitous transit.

1. La gratuidad del tránsito territorial, fluvial y marítimo es absoluta en el territorio de la Unión Postal de las Américas y España; en consecuencia, los países que la integran se obligan a transportar a través de sus territorios y a conducir en los buques de su matrícula o bandera que utilicen en el transporte de su propia correspondencia, sin cargo ninguno para los países contratantes, toda la que éstos expidan con cualquier destino.

Reforwarding.

2. En los casos de reencaminamiento, los países contratantes se comprometen a reexpedir la correspondencia por las vías y conductos que utilicen para sus propios envíos.

## ARTICLE 3

*Free and gratuitous transit*

1. The gratuity of territorial, fluvial and maritime transit is absolute in the territory of the Postal Union of the Americas and Spain; consequently, the countries which form it obligate themselves to transport across their territories, and to convey by the ships of their registry or flag which they utilize for the transportation of their own correspondence, without any charge whatsoever to the contracting countries, all that which the latter send to any destination.

2. In cases of reforwarding, the contracting countries are bound to reforward the correspondence by the ways and means which they utilize for their own dispatches.

## ARTICULO 4

*Objetos de correspondencia*

Articles of correspondence.

Letters, post cards, etc.

1. Las disposiciones de este Convenio se aplicarán a las cartas, tarjetas postales sencillas y con

## ARTICLE 4

*Articles of correspondence*

1. The provisions of this Convention will apply to letters, single and reply post cards, prints of all

respuesta pagada, impresos de todas clases, papeles de negocio, muestras sin valor, pequeños paquetes, valores declarados y pequeños valores declarados.

2. Los servicios de pequeños paquetes, valores declarados y pequeños valores declarados, quedan limitados a los países que convengan en ejecutarlos, ya sea en sus relaciones recíprocas, ya sea en una sola dirección.

kinds, commercial papers, samples without value, small packets, insured articles and small insured articles.

2. The services of small packets, insured articles and small insured articles are limited to countries which agree to execute them, either in their reciprocal relations or in one direction only.

Limitation.

#### ARTICULO 5

##### *Tarifa*

1. La tarifa del servicio interior de cada país regirá en las relaciones de los países que constituyen la Unión Postal de las Américas y España, excepto cuando dicha tarifa interna sea superior a la que se aplique a la correspondencia destinada a los países de la Unión Postal Universal, caso en el cual regirá esta última.

2. También regirá la tarifa internacional cuando se trate de servicios que no existen en el regimen interior.

3. Para los pequeños paquetes y para los pequeños valores declarados regirán, respectivamente, las tarifas a que aluden los artículos 6 y 7 de este Convenio.

#### ARTICLE 5

##### *Postage rates*

1. The postage rates of the domestic service of each country will govern in the relations of the countries which constitute the Postal Union of the Americas and Spain, except when said domestic rates are higher than those applicable to correspondence destined for countries of the Universal Postal Union, in which case the latter will govern.

2. The international rates will also govern when it is a question of services which do not exist in the domestic régime.

3. For small packets and small insured articles, respectively, the rates will govern which are mentioned in Articles 6 and 7 of this Convention.

Postage rates.

Domestic.

International.

Small packets, etc.

#### ARTICULO 6

##### *Pequeños paquetes*

1. En el servicio facultativo de pequeños paquetes de que trata el artículo 4 de este Convenio, cada envío no podrá pesar más de un kilogramo ni contener objetos cuyo valor mercantil en la localidad en que fuere entregado al Correo, exceda del valor de 10 francos oro o su equivalencia en la moneda del país de origen.

2. Las Administraciones que ejecuten el servicio de pequeños paquetes creado por el Convenio Universal, no estarán obligadas a observar, en sus relaciones recíprocas, cualquiera disposición en conflicto con las estipulaciones del Convenio Universal, relacionada con los pequeños paquetes.

#### ARTICLE 6

##### *Small packets*

1. In the optional service of small packets mentioned in Article 4 of this Convention, no article may weigh more than one kilogram, or contain objects whose mercantile value at the place where they are mailed exceeds the value of 10 gold francs or the equivalent thereof in money of the country of origin.

2. Administrations which execute the service of small packets created by the Universal Convention will not be obliged to observe, in their reciprocal relations, any provision in conflict with the stipulations of the Universal Convention relating to small packets.

Small packets.

Weight.

Contents.

Conflicting provisions.

Prepayment of transit charges.

3. Los pequeños paquetes de cualquier especie, intercambiados entre los países de la Unión Postal de las Américas y España, teniendo en cuenta que no están afectos al pago de derechos de tránsito, serán franqueados de conformidad con la tarifa adoptada en cada país para las encomiendas de su servicio interno, pudiendo las Administraciones aplicar a esos pequeños paquetes las tasas previstas por el Convenio Postal Universal.

3. Small packets of any kind exchanged between countries of the Postal Union of the Americas and Spain, in view of the fact that they are not liable to payment of transit charges, will be prepaid at the rates adopted in each country for parcels in its domestic service, or the Administrations may apply to such small packets the rates prescribed by the Universal Postal Convention.

Customs handling.

4. Las Administraciones destinatarias podrán someter a la fiscalización aduanera los pequeños paquetes, de acuerdo con las disposiciones de su legislación interna.

4. The Administrations of destination may submit small packets to customs handling in accordance with the provisions of their domestic legislation.

Collection of fee from addressee.

5. Las Administraciones de los países de destino podrán percibir de los destinatarios de pequeños paquetes:

5. The Administrations of the countries of destination may collect from the addressees of small packets:

Customs clearance, fee.

a) Una cuota de 50 céntimos de franco oro, como máximo, por las operaciones, formalidades y tramitaciones inherentes al despacho aduanero;

(a) A fee of 50 centimes of a gold franc at most for the operations, formalities and handling involved in customs clearance;

Delivery fee.

b) Una cuota que no podrá exceder de 15 céntimos de franco oro, por la entrega de cada objeto; pudiendo ser elevada esa cuota hasta 30 céntimos de franco oro, como máximo, en el caso de entrega a domicilio.

(b) A fee which may not exceed 15 centimes of a gold franc for the delivery of each packet; that fee may be increased to 30 centimes of a gold franc at most in case of delivery at the addressee's residence.

Not applicable if customs exempt.

6. Cuando los pequeños paquetes fueren considerados por la aduana del país de destino como exentos de pago de derechos aduaneros, no serán aplicables las cuotas de entrega previstas en el inciso b), parágrafo 5 de este artículo.

6. When small packets are considered by the customs of the country of destination as exempt from payment of customs duties, the delivery fees provided for in paragraph (b) of Section 5 of this Article will not be applicable.

## ARTICULO 7

## ARTICLE 7

Small insured articles.

### *Pequeños valores declarados*

### *Small insured articles*

Insured letters containing paper money, etc.

1. Con carácter facultativo y con la denominación de «Pequeños Valores Declarados» podrán ser intercambiadas entre los países contratantes, cartas que contengan valores en papel o documentos de valor, con seguro del contenido hasta el importe de la declaración, que será como máximo de 50 francos oro para cada carta.

1. As an optional measure, and under the denomination of *small insured articles*, letters may be exchanged between the contracting countries which contain paper money or valuable papers, the contents being insured up to the amount of the declared value, which will be 50 gold francs at most for each letter.

Limitation.



Se podrán también aceptar en este servicio los otros envíos de que trata el artículo 4 de este Convenio, exceptuando los pequeños paquetes.

2. El porte de los pequeños valores declarados de que trata el párrafo anterior, deberá ser pagado integralmente por el remitente y se constituirá para cada pieza:

a) Del porte y del derecho fijo aplicables a un envío certificado, en el servicio interno de cada país;

b) De un derecho de seguro de 10 céntimos oro por cada 10 francos oro, o fracción, sobre el valor declarado.

3. La declaración de valor deberá ser igual al valor real del envío. El importe de la declaración de documentos, que representen valor en razón de los gastos de su expedición, no podrá sobrepasar los gastos efectivos de sustitución de dichos documentos, en caso de pérdida.

4. Las Administraciones que ejecutaren el servicio de pequeños valores declarados, serán responsables por la pérdida o avería de esos objetos, hasta el monto del valor real del daño causado, sin que pueda exceder de 50 francos oro.

5. Las Administraciones de la Unión Postal de las Américas y España que no ejecutaren el servicio de pequeños valores declarados, asumirán no obstante, por el tránsito de esos objetos en valijas cerradas, la responsabilidad prevista en la referida Unión para la correspondencia certificada.

6. Los países contratantes que quieran ejecutar el servicio de pequeños valores declarados y que ya fueran signatarios del Acuerdo de valores declarados de la Unión Postal Universal, sólo aplicarán, en sus relaciones recíprocas, la tarifa universal de cartas con valor declarado cuando ese valor fuere superior a 50 francos oro.

7. Las Administraciones que convinieren en ejecutar el servicio de pequeños valores declarados, tomarán las medidas necesarias

The other articles mentioned in Article 4 of this Convention may also be accepted in this service, with the exception of small packets.

2. Postage on the small insured articles mentioned in the preceding Section shall be fully prepaid by the sender, and will be composed, for each article:

(a) Of the postage and the fixed fee applicable to a registered article in the domestic service of each country;

(b) Of an insurance fee of 10 gold centimes for each 10 gold francs or fraction of declared value.

3. The declared value must be equal to the actual value of the article. The amount of the declaration for documents which represent a value by reason of the cost of their preparation may not exceed the actual expense of replacing said documents in case of loss.

4. Administrations which execute the service of small insured articles will be responsible for loss or damage of such articles, up to the amount of the actual value of the damage done, but not exceeding 50 gold francs.

5. Administrations of the Postal Union of the Americas and Spain which do not execute the service of small insured articles will nevertheless assume, for the transit of such articles in closed mails, the responsibility provided for in the said Union for registered correspondence.

6. The contracting countries which desire to execute the service of small insured articles, and which are already signatories of the Insurance Agreement of the Universal Postal Union, will apply the Universal rate for insured letters in their reciprocal relations only when the value is in excess of 50 gold francs.

7. Administrations which agree to execute the service of small insured articles will make the necessary arrangements for ex-

Other articles.  
Ante, p. 1658.

Postage fees; pre-payment.

Declared value to equal actual value.

Responsibility.

para que ese servicio se haga extensivo, en la medida de lo posible, a todas las oficinas de sus respectivos países.

tending that service as far as possible to all offices of their respective countries.

Use of domestic forms.

8. Salvo arreglo en contrario, para el intercambio de los pequeños valores declarados de que trata este artículo, las Oficinas pertenecientes a las Administraciones contratantes, podrán hacer uso de las cubiertas y demás fórmulas usadas en su propio servicio interno; pudiendo redactar en el idioma de cada país, los boletines de verificación, actas, listas de remesa, así como todas las anotaciones hechas en esos y otros documentos relativos a los pequeños valores declarados.

8. In the absence of agreement to the contrary for the exchange of the small insured articles mentioned in this Article, offices of the contracting Administrations may employ the covers and other forms used in their domestic service, it being permissible to word bulletins of verification, reports, waybills, as well as all notations made on these and other documents relative to small insured articles, in the language of each country.

#### ARTICULO 8

##### *Cupones-respuesta*

Reply coupons.

1. El precio de venta al público de los cupones-respuesta, en el régimen de la Unión Postal Américo-española, es de 20 céntimos de franco oro, por cada uno, o su equivalente en la moneda del país que los expendia.

2. Cada cupón es canjeable, en cualquiera de los países que integran esta Unión, por formas de franqueo equivalente a 15 céntimos de franco oro, en la moneda del país que lo canjee.

3. La diferencia de 5 céntimos, queda en favor de la Administración expedidora.

4. Se establece un modelo especial de cupones-respuestas, en la Unión Postal de las Américas y España, que será impreso y puesto a la venta de los países que la integran, por la Oficina Internacional de Montevideo.

#### ARTICLE 8

##### *Reply coupons*

1. The selling-price to the public of each reply coupon under the Postal Union of the Americas and Spain is 20 centimes of a gold franc or the equivalent thereof in money of the country which issues them.

2. Each coupon is exchangeable, in any of the countries which form this Union, for postage stamps equal to 15 centimes of a gold franc in money of the country which exchanges it.

3. The balance of 5 centimes remains in favor of the issuing Administration.

4. A special model of reply coupon is established in the Postal Union of the Americas and Spain, to be printed and sold to the countries composing that Union by the International Office of Montevideo.

#### ARTICULO 9

##### *Correspondencia certificada—Responsabilidad*

Registered correspondence.  
Ante, p. 1658.

1. Los objetos designados en el artículo 4, podrán ser expedidos con el carácter de certificados mediante el pago de un derecho igual al establecido para el servicio interno del país de origen, excepto

#### ARTICLE 9

##### *Registered correspondence—Responsibility*

1. The articles designated in Article 4 may be sent under registration upon payment of a fee equal to that established in the domestic service of the country of origin, except when the domestic

cuando el derecho interno sea más elevado que el que se aplique según el Convenio Postal Universal, en cuyo caso este último regirá.

2. Salvo en los casos de fuerza mayor, las Administraciones contratantes serán responsables de la pérdida de todo objeto certificado. El remitente tendrá derecho a una indemnización que no podrá exceder en ningún caso de 10 francos oro, o su equivalente en la moneda del país que deba hacerla efectiva.

3. No obstante, las Administraciones quedarán relevadas de responsabilidad por la pérdida de los objetos certificados cuyo contenido caiga bajo el régimen de las prohibiciones mencionadas por el artículo 15 del presente Convenio, o que esté prohibido por las leyes o reglamentos del país de origen o de destino, siempre que dicho país haya dado el debido conocimiento por la vía usual.

4. Se establece, con carácter facultativo, una categoría especial de certificados sin derecho a indemnización aplicable a los libros, periódicos y demás impresos, papeles de negocio y muestras sin valor, mediante el pago, además de los portes ordinarios, de un derecho reducido cuya cuantía fijarán las Administraciones interesadas. El servicio para este nuevo tipo de certificados, está limitado al intercambio con las Administraciones que hayan acordado su ejecución. Para indicar su carácter especial, los objetos deberán señalarse con las iniciales «S. I.» (sin indemnización), haciéndose igual anotación en las listas descriptivas, en la columna de «Observaciones», así como también en las reclamaciones formuladas para investigar su destino.

5. Sin embargo, las Administraciones que adopten de una manera general un derecho de certificación reducido para todos los objetos que no sean cartas ni tarjetas postales, no estarán obligadas a observar las formalidades establecidas en la parte final del párrafo anterior.

fee is higher than that applicable under the Universal Postal Convention, in which case the latter will govern.

2. Save in cases of *force majeure*, the contracting Administrations will be responsible for the loss of every registered article. The sender will be entitled to an indemnity which may in no case exceed ten gold francs or the equivalent thereof in money of the country which must pay it.

3. Nevertheless, Administrations will be relieved of responsibility for loss of registered articles whose contents fall under the prohibitions mentioned in Article 15 of the present Convention, or which are prohibited by the laws and regulations of the country of origin or of destination, provided that said country has given due notice by the usual means.

4. There is established, as optional, a special category of registers without right to indemnity, applicable to books, periodicals and other prints, commercial papers, and samples without value, subject to payment, in addition to the ordinary postage, of a reduced fee whose amount will be fixed by the Administrations concerned. The service of this new type of registered articles is limited to the exchange with the Administrations which have agreed to execute it. In order to indicate their special character, the articles shall be designated by the initials *S. I.* (*Sin indemnización*—without indemnity), the same notation being made in the *Observations* column of the descriptive lists, as well as on tracers sent in order to investigate their disposal.

5. Nevertheless, Administrations which adopt, in a general manner, a reduced registration fee for all articles other than letters and post cards, will not be obliged to observe the formalities prescribed by the last part of the preceding Section.

Responsibility.

Indemnity.

Exceptions.

Post, p. 1667.

Registers without indemnity right.

Limitation of service.

## ARTICULO 10

*Franqueo obligatorio*

Obligatory prepayment.

Articles not prepaid, etc.

Insufficiently prepaid matter; double charges.

Newspapers, etc., delivery service.

1. Con la excepción de las cartas en su forma usual y ordinaria, se declara obligatorio el franqueo completo previo de toda clase de correspondencia, incluso los paquetes cerrados.

2. Los paquetes cerrados, así como los demás objetos no francos o insuficientemente franqueados, quedarán detenidos en la Oficina de origen, que procederá con ellos en la forma que determine su legislación interna.

3. Las cartas insuficientemente franqueadas darán lugar al cobro al destinatario de una tasa equivalente al doble monto del franqueo faltante.

4. Los diarios, revistas y publicaciones periódicas, aceptados en el país de origen con sujeción a los servicios de franqueo pagado, serán distribuidos en el de destino sin percepción de ningún porte.

## ARTICLE 10

*Obligatory prepayment*

1. With the exception of letters in their usual and ordinary form, complete prepayment of all classes of correspondence, including sealed packages, is declared obligatory.

2. Sealed packages, as well as other articles not prepaid or insufficiently prepaid, will be held at the office of origin, which will dispose of them in the manner prescribed by its domestic legislation.

3. Insufficiently prepaid letters will give rise to the collection from the addressee of a charge equivalent to twice the amount of the missing postage.

4. Newspapers, magazines and periodical publications accepted in the country of origin under the *postage paid* service will be delivered in the country of destination without collecting any charge.

## ARTICULO 11

*Peso y dimensiones*

Weight and dimensions.

49 Stat. 2741.

Los límites de peso y dimensiones de los diversos objetos de correspondencia, se ajustarán a lo preceptuado para los mismos en el Convenio vigente de la Unión Postal Universal, con excepción de los impresos cuyo peso se elevará a 5 kilogramos, o bien hasta 10, cuando se trate de obras de un solo volumen. Sin embargo, y por lo que respecta a la aceptación de envíos con peso mayor de 5 y hasta 10 kilogramos, cuando no se trate de obras de un solo volumen, se hará previo acuerdo entre las Administraciones interesadas.

## ARTICLE 11

*Weight and dimensions*

The limits of weight and dimensions of the various articles of correspondence will conform to those fixed therefor by the Universal Postal Convention in force, with the exception of prints, whose weight will be fixed at 5 kilograms, or even as much as 10 kilograms when it is a question of works in a single volume. However, in regard to the acceptance of articles with a weight greater than 5 but not exceeding 10 kilograms, when it is not a question of works in a single volume, a previous agreement will be made between the Administrations concerned.

## ARTICULO 12

*Objetos rezagados*

Undelivered articles.

Las tarjetas postales, los impresos y las muestras sin valor, ordinarias, caídas en rezago por cualquier motivo, serán destruídas o tratadas de acuerdo con la regla-

## ARTICLE 12

*Undelivered articles*

Ordinary post cards, prints, and samples without value, which have not been delivered for any reason will be destroyed or treated in accordance with the domestic

mentación interna del país de destino; salvo que lleven indicación de devolución y, además, el nombre y dirección del remitente, en cuyo caso se devolverán al país de origen.

legislation of the country of destination, unless they bear a request for return and also the name and address of the sender, in which case they will be returned to the country of origin.

## ARTICULO 13

*Franquicia de porte*

1. Las partes contratantes convienen en conceder franquicia de porte, tanto en el servicio interno, como en el servicio américoespañol:

a) A la correspondencia relativa al servicio postal, cambiada entre las Administraciones de la Unión Postal de las Américas y España; entre esas Administraciones y la Oficina Internacional de Montevideo; entre las propias Administraciones y la Oficina de Transbordos de Panamá; entre esta última y la referida Oficina Internacional; entre las Oficinas postales de los países américo-españoles; y entre esas Oficinas y las Administraciones postales de los aludidos países;

b) A la correspondencia de los miembros del Cuerpo Diplomático de los países signatarios;

c) A la correspondencia oficial que los Cónsules remitan a sus respectivos países; a la que cambien entre sí; a la que dirijan al Gobierno del país en que estuvieren acreditados y a la que crucen con sus respectivas Embajadas y Legaciones, siempre que exista reciprocidad;

d) Gozarán de franquicia de porte los diarios, publicaciones periódicas, libros, folletos y otros impresos que expidan los editores o autores con destino a las Oficinas de Información establecidas por las Administraciones de Correos de la Unión Postal de las Américas y España, así como los que se remitan gratuitamente a las bibliotecas y demás centros culturales nacionales, oficialmente reconocidos por los Gobiernos de los países que integran esta Unión;

## ARTICLE 13

*Franking privilege*

1. The contracting parties agree to grant the franking privilege, both in their domestic service and in the Americo-Spanish service:

(a) To correspondence relative to the postal service exchanged between Administrations of the Postal Union of the Americas and Spain; between those Administrations and the International Office of Montevideo; between the same Administrations and the Transfer Office of Panama; between the latter and the aforesaid International Office; between post offices of Americo-Spanish countries and between those offices and the Postal Administrations of the countries mentioned;

(b) To correspondence of members of the Diplomatic Corps of the signatory countries;

(c) To official correspondence which Consuls send to their respective countries; to that which they exchange among themselves; to that which they address to the Government of the country in which they are accredited, and to that which they exchange with their respective Embassies and Legations, whenever reciprocity exists;

(d) The franking privilege will be enjoyed by newspapers, periodical publications, books, pamphlets and other prints sent by publishers or authors to Information Offices established by Postal Administrations of the Postal Union of the Americas and Spain, as well as those sent free of charge to libraries and other national cultural centers officially recognized by the Governments of the countries forming this Union;

Franking privilege.

Correspondence allowed.

Diplomatic and consular correspondence.

Newspapers, etc.

Pan American  
Union.

Official correspond-  
ence of signatories.

National Commis-  
sions of Intellectual  
Cooperation.

Vice consuls when  
acting consuls.  
*Ante*, p. 1665.

Registration.

Diplomatic pouches.

*Post*, p. 1683.

Air service excepted.

e) A la correspondencia oficial que expida y reciba la Unión Panamericana de Washington;

2. Las correspondencias oficiales de los Gobiernos Centrales de los países de la Unión Postal de las Américas y España, que conforme a sus leyes interiores circulen libres de porte en su régimen interno, se admiten con la misma franquicia en el país de destino, sin ningún gravamen en el mismo, siempre que se observe una estricta reciprocidad.

3. Gozará asimismo, de franquicia de porte, la correspondencia de las Comisiones Nacionales de Cooperación Intelectual constituidas bajo los auspicios de los Gobiernos, de acuerdo con Convenciones Panamericanas y Universales vigentes.

4. La franquicia de porte concedida a los Cónsules por el párrafo 1, letra c), se hará extensiva a los Vicecónsules, cuando éstos se hallaren en funciones de Cónsules.

5. La correspondencia a que se refieren los incisos a), b) y c), del párrafo 1, podrá también exenta de porte, ser expedida con carácter certificado; pero sin derecho a indemnización alguna en caso de pérdida, extravío o avería.

6. El intercambio de correspondencia del Cuerpo Diplomático, entre las Secretarías de Estado de los respectivos países y sus Embajadas o Legaciones, tendrá el carácter de reciprocidad entre los países contratantes y será efectuado al descubierto o por medio de valijas diplomáticas de conformidad con lo determinado en el artículo 106 del Reglamento de Ejecución. Esas valijas, gozarán de franquicia y de todas las garantías de los envíos oficiales.

7. La franquicia de que trata el presente artículo, no tendrá aplicación en el servicio aéreo ni en los demás servicios especiales existentes en el régimen americano o en el régimen interno de los países contratantes.

(e) To official correspondence sent and received by the Pan American Union in Washington.

2. Official correspondence of the Central Governments of the countries of the Postal Union of the Americas and Spain which circulates free in their domestic service under their domestic legislation is admitted to the same franking privilege in the country of destination without the collection of any charge thereby, whenever strict reciprocity is observed.

3. The franking privilege will also be enjoyed by correspondence of National Commissions of Intellectual Cooperation set up under the auspices of the Governments in accordance with Pan American and Universal Conventions in force.

4. The franking privilege granted to Consuls by Section 1, letter (c), will be extended to Vice-Consuls when the latter are discharging the functions of Consuls.

5. The correspondence referred to by paragraphs (a), (b) and (c) of Section 1 may also be sent free of postage under registration, but without right to indemnity in case of loss, rifling or damage.

6. The exchange of correspondence of the Diplomatic Corps, between the Secretaries of State of the respective countries and their Embassies or Legations, will have a reciprocal character among the contracting countries, and will be effected in open mail or by means of diplomatic pouches, in accordance with the provisions of Article 106 of the Regulations of Execution. These pouches will enjoy the franking privilege and all safeguards of official dispatches.

7. The franking privilege dealt with in the present Article will not be applicable in the air service or in other special services existing in the Americo-Spanish régime or in the domestic services of the contracting countries.

## ARTICULO 14

*Reducción de tasas*

Los envíos que remitan en canje las Direcciones de las Escuelas Primarias Nacionales a sus similares de los países de la Unión Postal de las Américas y España, gozarán de una tarifa especial equivalente al 50% de la ordinaria, siempre que su peso no exceda de un kilogramo y sujetos siempre a las condiciones que correspondan a su clasificación postal.

Queda exceptuada la correspondencia de carácter epistolar.

## ARTICLE 14

*Reduction of rates*

Articles exchanged by Directors of National Primary Schools and similar institutions of countries of the Postal Union of the Americas and Spain will enjoy a special rate equivalent to 50% of the ordinary rate, whenever their net weight does not exceed one kilogram and they comply with the conditions fixed for their postal classification.

Correspondence of an epistolary nature is excepted.

Reduction of rates.

National Primary Schools, etc.

## ARTICULO 15

*Prohibiciones*

1. Sin perjuicio de lo que establezcan respecto a restricciones en la circulación de correspondencia, el Convenio vigente de la Unión Postal Universal y la legislación interior de cada país, no se dará curso:

a) A las publicaciones que atenten contra la seguridad y el orden público;

b) A toda publicación que contenga conceptos o imputaciones injuriosas contra el régimen legalmente constituido;

c) A las publicaciones pornográficas, y cualquier otro escrito o publicación cuyo texto se considere ofensivo a la moral y a las buenas costumbres;

d) A la correspondencia de cualquier naturaleza que tenga por objeto la comisión de fraudes, estafas o cualesquiera clase de delitos contra la propiedad o personas. A tal fin se procederá de acuerdo con lo que disponga la legislación interna de cada país;

e) A la que tenga por objeto, fundamentalmente, difundir en el pueblo doctrinas comunistas;

f) A la correspondencia que contenga dinero en efectivo, billetes de banco o valores al portador, ya se trate de ordinaria o certifi-

## ARTICLE 15

*Prohibitions*

1. Without prejudice to the provisions of the Universal Postal Convention in force and of the domestic legislation of any country regarding restrictions on the circulation of correspondence, the following will not be forwarded:

(a) Publications endangering public safety and order.

(b) Any publication containing ideas or imputations injurious to the legally constituted régime.

(c) Pornographic publications, and any other writings or publications whose text is considered offensive to morals and good customs.

(d) Correspondence of any nature having for its object the commission of frauds, swindles or any kind of crimes against property or persons. To that end, the provisions of the domestic legislation of each country will be followed.

(e) That which has for its fundamental object the diffusion among the people of communistic doctrines.

(f) Correspondence containing money in cash, bank notes, or values payable to the bearer, whether it is a question of ordinary or reg-

Prohibitions.

Publications endangering public safety.

Injurious to legally constituted régime.

Pornographic publications.

Fraudulent, etc., correspondence.

Diffusion of communistic doctrines.

Money in cash, etc.

cada, salvo acuerdo en contrario entre las Administraciones interesadas.

Dispatch given through error.

2. Si no obstante lo dispuesto por el inciso f), por error u otra causa, llegare a darse curso a los envíos a que el mismo se refiere, las Administraciones de los países de destino quedan facultadas para entregarlos a sus respectivos destinatarios, si así lo autoriza su legislación interna, mediante los requisitos que la misma señale; y en caso contrario, serán devueltos a la Administración de origen.

istered correspondence, in the absence of agreement to the contrary between the Administrations concerned.

2. If, notwithstanding the provisions of paragraph (f), dispatch is given, through error or otherwise, to the articles referred to therein, the Administrations of the countries of destination are authorized to deliver them to their respective addressees if their domestic legislation permits, subject to the requirements provided for thereby; otherwise, the articles will be returned to the Administration of origin.

#### ARTICULO 16

##### *Servicios especiales*

Special services to other countries.

Las altas partes contratantes podrán, sobre la base de acuerdos especiales o por correspondencia, hacer extensivos a los demás países de la Unión Postal de las Américas y España los servicios postales que realicen o puedan, en lo futuro, establecer en el interior de sus respectivos países.

#### ARTICLE 16

##### *Special services*

The high contracting parties may, on the basis of special agreements or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain such postal services as they carry on or may in the future establish within their respective countries.

#### ARTICULO 17

##### *Franqueo pagado*

Postage paid service.

Los países contratantes tendrán la facultad de adoptar el «Franqueo pagado» para el envío de diarios o publicaciones periódicas, abiertos o en paquetes, incluso los de propaganda o reclamo puramente comerciales, siempre que para estos últimos no se aplique una tarifa reducida.

#### ARTICLE 17

##### *Postage paid service*

The contracting countries will have the option of adopting the *Postage paid* service for the transmission of newspapers or periodical publications, open or in bundles, including those for propaganda or purely commercial advertising, provided that a reduced rate is not applied to the latter.

#### ARTICULO 18

##### *Fórmulas de servicio enviadas por correo aéreo*

Service forms sent by air mail.  
49 Stat. 2873.

Las fórmulas previstas en el Reglamento de ejecución del Convenio Postal Universal para los pedidos de retiro o modificación de dirección, así como las relativas a las reclamaciones de cualquier objeto de correspondencia, podrán ser encaminadas por la vía aérea.

#### ARTICLE 18

##### *Service forms sent by air mail*

The forms provided for in the Regulations of Execution of the Universal Postal Convention for requests for return or change of address, as well as those relative to inquiries about any article of correspondence, may be sent by air mail.



Tales fórmulas solamente tendrán curso, en el servicio aéreo, cuando sean incluídas en un sobre debidamente franqueado como correspondencia aérea, quedando para tal fin las Administraciones contratantes autorizadas a cobrar los portes y sobreportes necesarios para ese franqueo.

Las fórmulas así transmitidas llevarán la mención alusiva correspondiente en la parte superior de su anverso. Serán consideradas como de carácter urgente y tendrán por lo mismo preferente tratamiento entre las Administraciones interesadas.

Such forms will be forwarded by air mail only when they are inclosed in an envelope duly prepaid as airmail correspondence, the Administrations being authorized to collect, for that purpose, the postage and surcharges necessary for such prepayment.

The forms so transmitted will bear a note relative to the fact at the top of the front. They will be considered as urgent in character, and will therefore be given preferential treatment by the Administrations concerned.

#### ARTICULO 19

##### *Idioma oficial*

Se adopta el español como idioma oficial para los asuntos relativos al servicio de Correos. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio.

#### ARTICLE 19

##### *Official language*

Spanish is adopted as the official language for matters relative to the postal service. Nevertheless, countries whose language is not this may use their own.

Official language.

#### ARTICULO 20

##### *Protección e intercambio de funcionarios postales*

1. Las Administraciones de los países contratantes estarán obligadas a prestarse entre sí, previa solicitud, la cooperación que necesiten sus empleados encargados del transporte de correspondencia en tránsito por tales países, e igualmente, proporcionarán toda clase de facilidades a los funcionarios que una de dichas Administraciones acuerde enviar a cualquiera otra, para llevar a cabo estudios acerca del desarrollo y perfeccionamiento de los servicios postales.

2. Las Administraciones, por intermedio de la Oficina Internacional de Montevideo, se pondrán de acuerdo para efectuar entre ellas, anualmente, un intercambio de funcionarios de similar categoría, con un período de permanencia de dos meses, como máximo.

#### ARTICLE 20

##### *Protection and exchange of postal functionaries*

1. The Administrations of the contracting countries will be obliged to lend mutually, upon request, the cooperation required by their employees charged with the transportation of correspondence in transit through such countries, and likewise will furnish all manner of facilities to such functionaries as one Administration may agree to send to any other to carry on studies regarding the development and perfection of postal services.

2. The Administrations, through the intermediary of the International Office of Montevideo, will come to agreements to effect an annual exchange of functionaries of similar grades, for a period of stay not exceeding two months.

Cooperation in transportation of correspondence.

Exchange of functionaries.

Division of expenses.

3. Una vez convenido el intercambio entre dos Administraciones, éstas acordarán la forma en que deban repartirse los gastos correspondientes, a iniciativa y por intermedio de la Oficina Internacional de Montevideo.

3. Once that the exchange is agreed upon between two Administrations, the latter will decide upon the manner in which the relative expenses are to be shared, at the initiative and through the intermediary of the International Office of Montevideo.

#### ARTICULO 21

International Transfer Office.

#### *Oficina Internacional de Transbordos*

Continuance in Panama.

1. Queda subsistente en la República de Panamá una Oficina Internacional de Transbordos, a la cual corresponde recibir y reexpedir todos los despachos postales, originarios de las Administraciones de la Unión que no dispongan de servicios propios en el Istmo, y que transitando por el mismo, den lugar a operaciones de transbordo.

Operation.

2. La expresada Oficina funcionará de acuerdo con el Reglamento concertado entre la Oficina Internacional de la Unión Postal de las Américas y España y la Administración Postal panameña.

Amendments.

3. Las reformas que en cualquier tiempo deban introducirse en el Reglamento aludido, se someterán por las Administraciones interesadas a la consideración de la Oficina Internacional de Montevideo, para que, por su mediación, se propongan a la Administración Postal de Panamá.

Supervision and control.

4. La organización y funcionamiento de la Oficina Internacional de Transbordos quedan sometidos a la vigilancia y fiscalización de la Dirección General de Correos y Telégrafos de Panamá y de la Oficina Internacional de la Unión Postal de las Américas y España con sede en Montevideo, a la cual incumbe actuar como mediadora y asesora en cualquier divergencia que surja entre la Administración Postal de Panamá y los países que utilicen los servicios de la Oficina mencionada.

Personnel.

5. El personal adscrito al servicio de la Oficina será designado por la Dirección General de Co-

#### ARTICLE 21

#### *International Transfer Office*

1. There shall continue to exist in the Republic of Panama an International Transfer Office, which is charged with receiving and forwarding all mail dispatches originating in Administrations of the Union which do not have their own service in the Isthmus which, upon passing in transit through the same, give rise to transfer operations.

2. Said Office will function in accordance with the Regulations agreed upon between the International Office of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

3. Amendments which at any time may have to be made in the aforesaid Regulations will be submitted by the Administrations concerned to the International Office at Montevideo for consideration in order that they may be proposed to the Postal Administration of Panama through its mediation.

4. The organization and operation of the International Transfer Office are subject to supervision and control by the Administration of Posts and Telegraphs of Panama and the International Office of the Postal Union of the Americas and Spain with headquarters in Montevideo, upon which latter it is incumbent to act as mediator and arbitrator in any dispute arising between the Postal Administration of Panama and countries which utilize the services of said Office.

5. The personnel attached to the service of the aforesaid Office will be designated by the Adminis-

reos y Telégrafos de Panamá, y tendrá carácter inamovible, conforme con las disposiciones que al respecto establece el Reglamento de la Oficina.

6. Los gastos que demande el sostenimiento de esta Oficina quedarán a cargo de los países que utilicen sus servicios, repartidos aquéllos proporcionalmente al número de valijas que intercambien por su mediación.

La Administración de Panamá adelantará las cantidades necesarias para mantener expeditos los servicios de la Oficina.

Dichas cantidades se reintegrarán trimestralmente por cada Administración interesada, pero los reintegros que no se produzcan dentro de un plazo de seis meses, a partir del vencimiento de cada trimestre, devengarán un interés de 5% anual, destinado a aumentar los recursos de sostenimiento de la Oficina de Transbordos.

tration of Posts and Telegraphs of Panama, and will be considered permanent, in accordance with the provisions established by the Regulations of the Office concerning it.

6. The expenses to which the maintenance of this Office gives rise will be borne by the countries which utilize its services, divided proportionally to the number of sacks which they exchange through its intermediary.

The Administration of Panama will advance the necessary funds for the maintenance of prompt services by the Office.

Said amounts will be repaid quarterly by each Administration concerned, but repayments which are not made within a period of six months after the expiration of each quarter will bear interest at the rate of 5% a year, for the purpose of increasing the maintenance funds of the Transfer Office.

Office expenses.

Advance of funds.

Repayment.

## ARTICULO 22

### *Arbitrajes*

Todo conflicto o desacuerdo que se suscite en las relaciones postales de los países contratantes, será resuelto por juicio arbitral que se realizará en la forma dispuesta por el Convenio vigente de la Unión Postal Universal. La designación de árbitros deberá recaer en los países signatarios, y llegado el caso, con intervención de la Oficina Internacional de la Unión Postal de las Américas y España.

## ARTICLE 22

### *Arbitration*

Every conflict or disagreement arising in the postal relations of the contracting countries will be settled by arbitration, which will be effected in the manner prescribed by the Convention of the Universal Postal Union in force. The designation of arbitrators shall be incumbent upon the signatory countries, with the intervention of the International Office of the Postal Union of the Americas and Spain, if necessary.

Arbitration.

## ARTICULO 23

*Oficina Internacional de la Unión Postal de las Américas y España*

1. Con el nombre de Oficina Internacional de la Unión Postal de las Américas y España, funciona en Montevideo, bajo la alta inspección de la Dirección General de Correos de la República Oriental del Uruguay, una Oficina Cen-

## ARTICLE 23

*International Office of the Postal Union of the Americas and Spain*

1. With the name of *International Office of the Postal Union of the Americas and Spain*, there functions in Montevideo, under the general supervision of the Administration of Posts of the Eastern Republic of Uruguay, a

International Office of the Postal Union of the Americas and Spain.

tral que sirve como órgano de relación, información y consulta de los países de la Unión.

Duties, etc., designated.

2. Esta Oficina se encargará:

a) De reunir, coordinar, publicar y distribuir los datos de toda clase que interesen especialmente al servicio postal américoespañol;

b) De emitir, a petición expresa de las partes interesadas, su opinión sobre cuestiones litigiosas;

c) De emitir, por propia iniciativa o a petición de cualquiera de las Administraciones de los países signatarios, su opinión en todos los asuntos de orden postal que afecten o tengan relación con los intereses generales de la Unión Postal de las Américas y España;

d) De dar a conocer las solicitudes de modificaciones de las Actas del Congreso que puedan formularse y de notificar los cambios que fueren adoptados;

e) De informar los resultados que se obtengan de las disposiciones y medidas reglamentarias de importancia que las Administraciones adopten en su servicio interno y que le sean comunicadas por las mismas, a título informativo;

f) De la distribución de los Mapas y Guías postales que le remitan las respectivas Administraciones, así como de recopilar los datos necesarios, para formar y distribuir un Mapa que señale las líneas aeropostales de las Américas y España;

g) De formular el resumen de la estadística postal américoespañola, de acuerdo con los datos que le comunique anualmente cada Administración;

h) De publicar un informe relativo a las vías más rápidas para la transmisión de la correspondencia de uno a otro de los países contratantes;

i) De formar un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España, que pue-

Central Office which serves as an organ of liaison, information and consultation for countries of the Union.

2. This Office will be charged with:

(a) Assembling, co-ordinating, publishing and distributing information of all kinds which specially concerns the Americo-Spanish postal service.

(b) Giving, at the express request of the parties concerned, its opinion on disputed questions.

(c) Giving, on its own initiative or at the request of any of the Administrations of the signatory countries, its opinion on all matters of a postal character which affect or relate to the general interests of the Postal Union of the Americas and Spain.

(d) Making known requests for modification of Acts of the Congress which are formulated, and giving notice of changes which are adopted.

(e) Making known the results obtained from the regulatory provisions and measures of importance which the Administrations adopt in their domestic service, which are communicated to it by the same Administrations as information.

(f) Distributing postal maps and guides which the respective Administrations send it, as well as collecting the necessary data to prepare and distribute a map indicating the airmail lines of the Americas and Spain.

(g) Making a summary of Americo-Spanish postal statistics, on the basis of data which each Administration communicates to it annually.

(h) Publishing a report relative to the most rapid routes for transmission of correspondence from one of the contracting countries to another.

(i) Preparing a table giving in detail all maritime services dependent upon countries of the Postal Union of the Americas and Spain which may be utilized

dan ser utilizados gratuitamente para el transporte de su correspondencia, en las condiciones marcadas por el artículo 3, precedente;

j) De publicar la tarifa de porte del servicio interior de cada uno de los países interesados y el cuadro de equivalencias;

k) De redactar y distribuir anualmente entre los países de la Unión Postal de las Américas y España una Memoria de los trabajos que realice;

l) De llevar a cabo los estudios y trabajos que se le pidan, en interés de los países contratantes y con relación a la obra de vinculación social, económica y artística, para cuyo efecto la Oficina Internacional estará siempre a disposición de dichos países, a fin de facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de Correos américoespañol;

m) De intervenir y colaborar en la organización y realización de los Congresos y Conferencias de la Unión Postal de las Américas y España;

n) De la distribución, entre las Administraciones de la Unión Postal de las Américas y España, de las leyes y reglamentos postales de cada una; teniendo por consecuencia dichas Administraciones, la obligación de proporcionar a la mencionada Oficina veinticinco ejemplares de las expresadas leyes y reglamentos.

3. Los gastos especiales que demanden la formación de la Memoria anual y el cuadro de comunicaciones postales de los países contratantes, y los que se produzcan con motivo de la reunión de Congresos o Conferencias, serán sufragados por las Administraciones de dichos países, de acuerdo con las categorías establecidas en el artículo 111 del Reglamento de Ejecución.

Los gastos que se relacionen con la celebración de los expresados Congresos y Conferencias, serán fijados, en cada ocasión, por la Dirección General de Correos de

gratuitously for the transportation of their correspondence, under the conditions laid down by Article 3 preceding.

(j) Publishing the tariff of postage rates of the domestic service of each of the countries concerned, and the table of equivalents.

(k) Publishing and distributing among the countries of the Postal Union of the Americas and Spain, annually, a report of the work which it performs.

(l) Carrying out studies and works requested of it in the interests of the contracting countries, relative to work of social, economic and artistic cooperation, for which purpose the International Office will always be at the disposal of said countries, to furnish them any special information which they require on matters relative to the Americo-Spanish postal service.

(m) Taking part and collaborating in the organization and convening of Congresses and Conferences of the Postal Union of the Americas and Spain.

(n) Distributing among the Administrations of the Postal Union of the Americas and Spain the postal laws and regulations of each; said Administrations accordingly being obligated to furnish the Office mentioned twenty-five copies of the laws and regulations in question.

3. The special expenses arising from the preparation of the Annual Report and the Table of Postal Communications of the contracting countries, and those arising on account of meetings of Congresses or Conferences, will be shared by the Administrations of said countries in accordance with the classes established in Article 111 of the Regulations of Execution.

The expenses in connection with the holding of such Congresses and Conferences will be fixed on each occasion by the Administration of Posts of the Eastern Repub-

Special expenses.

Post, p. 1686.

Congresses, etc., expenses.

la República Oriental del Uruguay, de acuerdo con la Oficina Internacional de Montevideo.

Supervision of office expenses.

4. La Dirección General de Correos del Uruguay fiscalizará los gastos de la Oficina Internacional de la Unión Postal de las Américas y España y le hará los anticipos que ésta necesite.

Repayment of advances.

5. Las cantidades adelantadas por la Administración del Uruguay en concepto de anticipos, a que se refiere el párrafo anterior, se abonarán por las Administraciones deudoras tan pronto como sea posible y, a más tardar, antes de seis meses, a partir de la fecha en que el país interesado reciba la cuenta formulada por la Dirección General de Correos del Uruguay. Después de esa fecha, las cantidades adeudadas devengarán interés a razón de 5% al año, a contar del día de expiración de dicho plazo.

Inclusion of annual amount in budget.

6. Los países contratantes se comprometen a incluir en sus presupuestos, una cantidad anual destinada a atender puntualmente al pago de la cuota que les corresponda sufragar.

lic of Uruguay, by agreement with the International Office of Montevideo.

4. The Administration of Posts of Uruguay will supervise the expenses of the International Office of the Postal Union of the Americas and Spain, and will make to it the advances which it requires.

5. The amounts advanced by the Administration of Uruguay in accordance with the foregoing Section will be repaid by the debtor Administrations as soon as possible, and, at the latest, before six months from the date on which the country concerned receives the account formulated by the Administration of Posts of Uruguay. After that date, the amounts due will bear interest at the rate of 5% a year, counting from the date of expiration of the said period.

6. The contracting countries are bound to include in their budgets an annual amount destined to take care promptly of the payment of their contributive quotas.

ARTICULO 24

ARTICLE 24

*Congresos*

*Congresses*

Congresses.

Meetings.

1. Los Congresos se reunirán por lo menos, cada cinco años, a contar de la fecha en que fuere puesto en vigor el Convenio ajustado en el último.

1. Congresses will meet at least every five years, counting from the date on which the Convention concluded by the last one becomes effective.

Place and year.

2. Cada Congreso fijará el lugar y el año en que deba realizarse la reunión del próximo.

2. Each Congress will fix the place and year in which the next one shall convene.

ARTICULO 25

ARTICLE 25

*Proposiciones durante el intervalo de las reuniones*

*Propositions in the interval between meetings*

Modification of Convention between meetings.  
49 Stat. 2753.

El presente Convenio podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones deberán obtener unanimidad de votos para el presente

The present Convention may be modified in the interval between Congresses, following the procedure established in the Universal Postal Convention in force. In order to become effective, modifications must obtain unanimity of votes for the present Article and Articles 1, 2, 3, 4, 5, 8, 9, 12, 13,

artículo y para los números 1, 2, 3, 4, 5, 8, 9, 12, 13, 18, 21, 22, 23, 24, 26, 28, 29, 30 y 31; dos terceras partes de votos para los números 10, 14 y 15, y simple mayoría para los demás.

18, 21, 22, 23, 24, 26, 28, 29, 30 and 31; two-thirds of the votes for Articles 10, 14 and 15; and a simple majority for the rest.

## ARTICULO 26

*Modificaciones y enmiendas*

Las modificaciones o resoluciones adoptadas por las partes contratantes, aún aquellas de orden interno que afecten el servicio internacional, tendrán fuerza ejecutiva tres meses después de la fecha en que se comunicaren por la Oficina Internacional de la Unión Postal de las Américas y España.

## ARTICLE 26

*Modifications and amendments*

Modifications or resolutions adopted by the contracting parties, even those of a domestic order which affect the international service, will become effective four months after the date of the relative notice from the International Office of the Postal Union of the Americas and Spain.

Modifications and amendments.

Effective date.

## ARTICULO 27

*Aplicación del Convenio Postal Universal y de la legislación interna*

1. Todos los asuntos que se relacionen con el canje de correspondencia entre los países contratantes y que no estén previstos en este Convenio, se sujetarán a las disposiciones del Convenio vigente de la Unión Postal Universal y su Reglamento; y lo que a su vez, no esté consignado en estos últimos, será materia de arreglos especiales entre las Administraciones interesadas.

2. Igualmente, la legislación interior de los dichos países se aplicará en todo aquello que no haya sido previsto por ambos Convenios.

*Application of Universal Postal Convention and domestic legislation*

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in this Convention will be subject to the stipulations of the Universal Postal Convention in force and its Regulations; and, in turn, that which is not covered by these last two will form the subject of special agreements between the Administrations concerned.

2. Likewise, the domestic legislation of the said countries will apply to everything which has not been provided for in either Convention.

Application of Universal Postal Convention.  
49 Stat. 2741.

Domestic legislation.

## ARTICULO 28

*Proposiciones para los Congresos Universales*

Todos los países que forman la Unión Postal de las Américas y España, se comunicarán, por conducto de la Oficina Internacional de Montevideo, las proposiciones que formulen para los Congresos Postales Universales, con seis meses de anticipación a la fecha en que deban celebrarse.

## ARTICLE 28

*Propositions for Universal Congresses*

All the countries forming the Postal Union of the Americas and Spain will advise one another, through the intermediary of the International Office at Montevideo, of the propositions which they formulate for Universal Postal Congresses, six months in advance of the date on which they are to be held.

Propositions for Universal Congresses.

Advance notice.

## ARTICULO 29

## ARTICLE 29

*Unidad de acción en los Congresos Postales Universales*      *Unity of action in Universal Postal Congresses*

Unity of action.

Los países signatarios del Convenio Postal Américoespañol, que hubieren ratificado el mismo o lo hubieren puesto en vigencia administrativamente, se obligan a dar instrucciones a sus Delegados ante los Congresos Postales Universales, para que sostengan, unánime y firmemente, todos los principios establecidos en la Unión Postal de las Américas y España y para que voten también de acuerdo con esos postulados, quedando exceptuados sólo los casos en que las proposiciones a debate afecten exclusivamente a los países proponentes.

The countries signatory to the Americo-Spanish Postal Convention which have ratified the same or put it into force administratively obligate themselves to instruct their delegates to Universal Postal Congresses to sustain unanimously and firmly all principles established in the Postal Union of the Americas and Spain, and also to vote in accordance with those postulates, except only in cases where the propositions to be debated affect only the countries proposing them.

## ARTICULO 30

## ARTICLE 30

*Conferencias previas**Preliminary Conferences*

Preliminary conferences.

1. Para los efectos del artículo anterior, los Delegados de los países que integran la Unión Postal de las Américas y España ante los Congresos Postales Universales, deberán reunirse en la ciudad designada como sede de éstos, quince días antes de la fecha de inauguración de los mismos, para la realización de una Conferencia previa, en la cual se determinarán los procedimientos de acción conjunta a realizarse.

2. Con la debida anticipación a la reunión de los Congresos Universales, la Oficina Internacional de la Unión Postal de las Américas y España invitará a todas las Administraciones que la integran, para celebrar las Conferencias previas a que alude el párrafo anterior, debiendo organizarlas y estar presente en ellas el Director de la Oficina Internacional de Montevideo.

1. In connection with Article 28, the Delegates of the countries composing the Postal Union of the Americas and Spain, prior to Universal Postal Congresses, shall assemble in the city designated as the seat of the Congress fifteen days before the date of inauguration thereof, in order to hold a preliminary conference, at which the procedure of joint action to be followed will be determined.

2. At the proper time before the meeting of Universal Congresses, the International Office of the Postal Union of the Americas and Spain will invite all the Administrations composing that Union to hold the preliminary conferences mentioned in the preceding Section; and the Director of the International Office of Montevideo is charged with organizing those conferences and attending them.

## ARTICULO 31

## ARTICLE 31

*Nuevas adhesiones**New adherences*

New adherences.

En caso de una nueva adhesión, el Gobierno de la República Oriental del Uruguay, de común acuerdo

In case of a new adherence, the Government of the Eastern Republic of Uruguay, by common



con el Gobierno del país interesado, denominará la categoría en la cual debe ser éste incluido a los efectos del reparto de los gastos de la Oficina Internacional.

consent with the Government of the country concerned, will determine the class in which said country is to be included, for purposes of sharing the expenses of the International Office.

## ARTICULO 32

## ARTICLE 32

*Vigencia y duración del Convenio y depósito de las ratificaciones**Effective date and duration of Convention and deposit of ratifications*

1. El presente Convenio empezará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Partes Contratantes el derecho de retirarse de esta Unión, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

1. The present Convention will become effective October 1, 1937, and will remain in force without time-limit, each of the contracting parties reserving the right to withdraw from this Union by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

Effective date and duration of Convention.

Reservation of right to withdraw.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible, procurándose que sea antes de la vigencia del Convenio y Acuerdo a que se refieran; y de cada una de aquéllas se levantará el Acta respectiva, cuya copia remitirá el Gobierno de la República de Panamá, por la vía diplomática, a los Gobiernos de los demás países signatarios.

2. The deposit of ratifications will be effected in the city of Panama, Republic of Panama, as soon as possible, preferably before the effective date of the Convention and Agreements in question, and the relative certificate will be made up for each of them, a copy of which will be sent by the Government of the Republic of Panama, through diplomatic channels, to the Governments of the other signatory countries.

Deposit of ratifications.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Convenio, las estipulaciones del Convenio Postal de las Américas y España sancionado en Madrid el 10 de noviembre de 1931.

3. The stipulations of the Postal Convention of the Americas and Spain sanctioned at Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Convention enters into force.

Abrogation of former Convention.  
47 Stat. 1924.

4. En el caso de que el Convenio no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que lo hayan ratificado.

4. In case that the Convention is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

Validity if not unanimously ratified.

5. Los Países Contratantes podrán ratificar el Convenio y los Acuerdos, provisionalmente, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país, y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

5. The contracting countries may ratify the Convention and Agreements provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

Provisional ratification.

## Signatures.

En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los países arriba citados, suscriben el presente Convenio en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de 1936.

In faith of which, the Plenipotentiaries of the Governments of the countries above named sign the present Convention in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA  
MENESES  
JAYME DIAS FRANÇA  
JULIO SÁNCHEZ PÉREZ

*Por Canadá:*

PETER T. COOLICAN  
F. E. JOLLIFFE

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS  
MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.  
VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Estados U. de América:*

POR HARLEE BRANCH,  
JOHN E. LAMIELL  
JOHN E. LAMIELL  
STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Haití:*

ANDRÉ FAUBERT

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO  
BROWNE

*Por Panamá:*

JOSÉ E. ARJONA  
JUAN B. CHEVALIER  
JUAN BRIN  
CARLOS ORTIZ R.  
TOMÁS H. JÁCOME  
MANUEL DE J. QUIJANO  
ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR  
ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENNA

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS  
CARLOS HARTMANN

## PROTOCOLO FINAL DEL CONVENIO

## FINAL PROTOCOL OF THE CONVENTION

Final Protocol of  
the Convention.

En el momento de firmar el Convenio celebrado por el IVº Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

At the moment of signing the Convention concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

### I

Los Estados Unidos de América se reservan el derecho, con carácter transitorio, de mantener sus tarifas actuales para los países de la Unión Postal de las Américas y España, que puedan ser más elevadas que las de su régimen interno.

The United States of America reserves the right, as a transitory measure, to maintain its present rates for countries of the Postal Union of the Americas and Spain which may be higher than those of its domestic service.

### II

Con relación al artículo 29 del Convenio, los Estados Unidos de América se reservan completa libertad de acción en los Congresos de la Unión Postal Universal.

In connection with Article 29 of the Convention, the United States of America reserves complete liberty of action in Congresses of the Universal Postal Union.

*Ante, p. 1676.*

### III

Cada uno de los países contratantes se compromete a mantener los privilegios de que gocen actualmente los barcos de los demás países de la Unión Postal de las Américas y España que transportan gratuitamente la correspondencia, así como a concederles en lo futuro todos los privilegios que otorgue a los barcos de cualquier otro país que efectúen dicho servicio.

Each of the contracting countries undertakes to maintain the privileges enjoyed at present by ships of other countries of the Postal Union of the Americas and Spain which transport mails free of charge, as well as to grant them in the future all privileges which it grants to ships of any other country which perform such service.

### IV

Bolivia, Canadá, Colombia, Estados Unidos de América, España, México y Panamá declaran, que hacen una terminante reserva en el sentido de que no aceptan las disposiciones de los incisos b) y e) del artículo 15 del Convenio, por tratarse de asuntos extraños a la índole de los Congresos Postales y que corresponden exclusivamente a la legislación interna de cada país.

Bolivia, Canada, Colombia, the United States of America, Spain, Mexico and Panama declare that they make a positive reservation in the sense that they do not accept the provisions of paragraphs (b) and (e) of Article 15 of the Convention, since it is a question of matters extraneous to the nature of Postal Congresses, which pertain exclusively to the domestic legislation of each country.

*Ante, p. 1667.*

## V

*Ante*, p. 1670.

Con referencia al párrafo 1.º del artículo 21, la República de Bolivia se reserva completa libertad de acción en lo concerniente a la utilización de los servicios de la Oficina Internacional de Transbordos.

## VI

El Canadá formula una reserva en el sentido de que no puede aceptar las disposiciones de los incisos d) y e) del párrafo 1.º del artículo 13 y de los párrafos 2, 3 y 6 del mismo artículo.

*Ante*, p. 1665.

Signatures.

Hecho en Panamá, a los 22 días de diciembre de 1936.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA

MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

*Por Canadá:*

PETER T. COOLICAN

F. E. JOLLIFFE

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS

MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

## V

With reference to Section 1 of Article 21, the Republic of Bolivia reserves complete freedom of action in regard to utilization of the services of the International Transfer Office.

## VI

Canada makes a reservation to the effect that it can not accept the provisions of paragraphs (d) and (e) of Section 1 of Article 13, and of Sections 2, 3 and 6 of the same Article.

Done at Panama on the 22d day of December, 1936.

*Por Estados U. de América:*

Por HARLLEE BRANCH,

JOHN E. LAMIELL

JOHN E. LAMIELL

STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Haití:*

ANDRÉ FAUBERT

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO

BROWNE

*Por Panamá:*

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENÁ

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

# REGLAMENTO DE EJECUCIÓN DEL CONVENIO DE LA UNIÓN POSTAL DE LAS AMÉRICAS Y ESPAÑA

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Los infrascritos, en nombre de sus respectivas Administraciones, han aprobado las siguientes reglas para asegurar la ejecución del Convenio precedente.

## ARTICULO 101

### *Cambio de despachos*

1. Las Administraciones de los países contratantes, podrán expedirse recíprocamente, por mediación de una o varias de ellas, tanto despachos cerrados como correspondencia al descubierto, en las condiciones citadas en el Convenio y Reglamentos vigentes de la Unión Postal Universal.

2. Cada Administración intermediaria estará obligada a cursar esta correspondencia por los medios más rápidos de que disponga para el envío de la suya propia, realizando el transporte gratuitamente cuando se trate de servicios que dependan de su Administración o percibiendo de la de origen las mismas cantidades que esté obligada a pagar cuando, para el transporte ulterior, se requieran servicios de Administraciones extrañas, a las cuales deba satisfacer aquellos gastos.

## ARTICULO 102

### *Equivalencias*

Las Administraciones se comunicarán, por conducto de la Oficina Internacional de la Unión

# REGULATIONS OF EXECUTION OF THE CONVENTION OF THE POSTAL UNION OF THE AMERICAS AND SPAIN

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

The undersigned, in the name of their respective Administrations, have approved the following Regulations to assure the execution of the foregoing Convention:

## ARTICLE 101

### *Exchange of mails*

1. The Administrations of the contracting countries may send to one another reciprocally, through the intermediary of one or several of them, both closed mails and correspondence in open mail, under the conditions fixed by the Convention and Regulations in force in the Universal Postal Union.

2. Each intermediary Administration will be obliged to forward this correspondence by the most rapid means which it has at its disposal for the dispatch of its own, effecting the transportation gratuitously when it is a question of services which are subordinate to its Administration, or collecting from the Administration of origin the same amounts as it is obliged to pay when, for its subsequent transmission, the correspondence requires the services of foreign Administrations to which such charges must be paid.

## ARTICLE 102

### *Equivalents*

The Administrations will communicate to one another, through the intermediary of the Interna-

Regulations of Execution.

Contracting Powers.

Exchange of mails.

Obligation of rapid transit.

Intercommunication of domestic postage rates and equivalents.

Postal de las Américas y España, su tarifa interior, así como las equivalencias que se establezcan de dicha tarifa en francos oro de la Unión Postal Universal.

tional Office of the Postal Union of the Americas and Spain, their domestic postage rates, as well as the equivalents of said rates which are established in gold francs of the Universal Postal Union.

Effective date.

Entrarán en vigor en un día primero de mes y, cuando menos, sesenta días después de la respectiva notificación a la Oficina Internacional.

They will enter into force on the first of a month, and at least sixty days after the corresponding notice to the International Office.

#### ARTICULO 103

##### *Formación de despachos—Sacos vacíos*

Preparation of dispatches.

49 Stat. 2806.

Return of empty sacks.

1. Los despachos que contengan la correspondencia de intercambio entre dos países de la Unión Postal de las Américas y España, se confeccionarán con arreglo a lo dispuesto en el Reglamento de Ejecución del Convenio vigente de la Unión Postal Universal.

2. Los sacos utilizados por las Administraciones contratantes para el envío de la correspondencia, se devolverán vacíos por las Oficinas de Cambio destinatarias a las de origen, en la forma prescrita por el artículo relativo de dicho Reglamento. Sin embargo, las Administraciones podrán ponerse de acuerdo con el fin de utilizarlos para el envío de su propia correspondencia conviniendo asimismo la forma y cuantía en que ha de sufragarse, por ambas Administraciones, el coste de dichos envases.

#### ARTICLE 103

##### *Preparation of dispatches—Empty sacks*

1. Dispatches containing correspondence exchanged between two countries of the Postal Union of the Americas and Spain will be prepared in accordance with the provisions of the Regulations of Execution of the Convention of the Universal Postal Union in force.

2. The sacks utilized by the contracting Administrations for the dispatch of correspondence will be returned empty by the exchange offices of destination to those of origin, in the manner prescribed by the relative Article of said Regulations. However, Administrations may come to an agreement for the purpose of using them for the dispatch of their own correspondence, likewise agreeing on the manner and amount in which both Administrations are to share the cost of said containers.

#### ARTICULO 104

##### *Franqueo de la correspondencia—“Franqueo pagado”—Cartas insuficientemente franqueadas*

Prepayment of correspondence.  
49 Stat. 2767.

Marking requirements.

1. La correspondencia cambiada entre los países contratantes se franqueará con arreglo a lo dispuesto en el Convenio vigente de la Unión Postal Universal.

2. En aquellos países de la Unión Postal de las Américas y España en que se haya establecido o se establezca el «Franqueo pagado» para los diarios y publicaciones periódicas, incluso las de

#### ARTICLE 104

##### *Prepayment of correspondence—Postage paid service—Insufficiently prepaid letters*

1. The correspondence exchanged among the contracting countries will be prepaid in accordance with the provisions of the Convention of the Universal Postal Union in force.

2. In those countries of the Postal Union of the Americas and Spain where the *Postage paid* service is or may be established for newspapers and periodical publications, including those for prop-

propaganda y reclamo, los paquetes que las contengan deberán llevar en su cubierta en forma clara la mención «Franqueo pagado».

Las Administraciones remitirán a las demás, por conducto de la Oficina Internacional de Montevideo, cualquier indicación útil para que las Oficinas de Cambio puedan distinguirlos fácilmente de aquellos que no gocen de dicho privilegio.

3. En el anverso de los sobres de las cartas insuficientemente franqueadas, la Administración de origen estampará el sello «T» y consignará la indicación en francos oro del importe de la insuficiencia.

aganda and advertising, the packages containing them shall bear on their covers the conspicuous note *Franqueo pagado* (Postage paid).

The Administrations will send to the others, through the intermediary of the International Office of Montevideo, any useful information so that the exchange offices may easily distinguish them from those which do not enjoy said privilege.

3. On the address side of the envelopes of insufficiently prepaid letters, the Administration of origin will place the T-stamp, and will indicate in gold francs the amount of the insufficiency.

Interchange of information.

Insufficiently prepaid letters.

#### ARTICULO 105

##### *Pequeños paquetes*

1. El acondicionamiento y envasado de los pequeños paquetes se regirán por las mismas disposiciones establecidas para las muestras.

Además, deberá figurar en el exterior de las remesas el nombre y la dirección de los remitentes.

2. Será permitido incluir en esos objetos una factura abierta, reducida a sus enunciados constitutivos; o bien, una simple copia del sobrescrito de la remesa con indicación de la dirección del remitente.

3. Los paquetes, sean o no acompañados de declaración de aduana, deberán llevar siempre la etiqueta verde igual al modelo «C. I.» del Reglamento de ejecución de la Unión Postal Universal.

#### ARTICLE 105

##### *Small packets*

1. The preparation and packing of small packets will be governed by the same provisions as those fixed for samples.

Moreover, the names and addresses of the senders shall appear on the outside of the articles.

2. It will be permissible to inclose in such articles an open invoice, reduced to its essential features, or else a simple copy of the address of the article with indication of the address of the sender.

3. The packets, whether accompanied by customs declarations or not, shall always bear a green label conforming to Model C 1 of the Regulations of Execution of the Universal Postal Convention.

Small packets.

Packing, etc.

49 Stat. 2889.

#### ARTICULO 106

##### *Valijas diplomáticas*

1. El peso y dimensiones de las valijas diplomáticas que se cambien entre cada uno de los Ministerios de Relaciones Exteriores de los países de la Unión Postal de las Américas y España y sus representantes diplomáticos en los otros países, en virtud de lo dispuesto en el artículo 13 del Convenio, serán determinados de común acuerdo entre las partes interesadas, pero

#### ARTICLE 106

##### *Diplomatic pouches*

1. The weight and dimensions of diplomatic pouches exchanged between each of the Ministries of Foreign Relations of the countries of the Postal Union of the Americas and Spain and their diplomatic representatives in the other countries, by virtue of the provisions of Article 13 of the Convention, will be determined by common consent between the parties concerned,

Diplomatic pouches.

Weight and dimensions.

Formalities of sending.	no deberán exceder del peso máximo de 30 kilogramos. 2. Los Ministerios de Relaciones Exteriores y los representantes diplomáticos depositarán estas valijas en la Oficina de Correos, bajo recibo, y con la misma formalidad serán entregadas por éstas a sus destinatarios.	but must not exceed the maximum weight of 30 kilograms. 2. The Ministries of Foreign Relations and the diplomatic representatives will deposit these pouches in the post offices, taking a receipt, and they will be delivered by the post offices to their addresses with the same formality.
Fastenings.	3. Dichas valijas estarán provistas de cerraduras o candados de seguridad apropiados a la importancia de estos envíos.	3. Said pouches will be provided with safety fastenings or locks appropriate to the importance of such dispatches.
Transit routes.	4. Las valijas diplomáticas serán cursadas por las mismas vías que utilice la Administración expedidora para el envío de su correspondencia a la Administración de destino, anunciándose dicho envío por medio de una nota consignada en la hoja de aviso del despacho que las contenga.	4. Diplomatic pouches will be forwarded by the same routes used by the dispatching Administration for the transmission of its correspondence to the Administration of destination, their sending being announced by means of a note entered in the letter bill of the dispatch containing them.
Dispatch under franking privilege by air mail.	5. Salvo acuerdo en contrario entre las partes interesadas, las valijas diplomáticas no se expedirán en franquicia por la vía aérea.	5. In the absence of agreement to the contrary between the parties concerned, diplomatic pouches will not be dispatched under the franking privilege by air mail.

## ARTICULO 107

## ARTICLE 107

Diplomatic and consular correspondence.

*Correspondencia diplomática y consular**Diplomatic and consular correspondence*

Indications required.

La Correspondencia diplomática y consular deberá llevar las siguientes indicaciones: el nombre de la Embajada, Legación o Consulado remitente y la inscripción, muy ostensible, de «Correspondencia diplomática», o «Correspondencia consular», además de la declaración «Libre de porte», la cual deberá hacerse debajo de aquella inscripción.

Diplomatic and consular correspondence shall bear the following indications: The name of the sending Embassy, Legation or Consulate, and the conspicuous inscription *Diplomatic correspondence* or *Consular correspondence*, in addition to the declaration *Libre de porte* (Free of postage), which shall appear under the former inscription.

## ARTICULO 108

## ARTICLE 108

*Estadística de derechos de tránsito**Transit statistics*Transit statistics. *Ante*, p. 1658.

Como consecuencia de la gratuidad del tránsito a que se refiere el artículo 3 del Convenio, las Administraciones de los países contratantes no efectuarán ninguna operación de estadística de derechos de tránsito, en relación con aquellos despachos que sólo contengan correspondencia américoespañola, siempre que esta correspondencia se curse sin la mediación de países o servicios extraños a la Unión Postal de las Américas y España.

As a result of the gratuity of transit referred to by Article 3 of the Convention, the Administrations of the contracting countries will not perform any transit statistical operations in connection with dispatches containing Americano-Spanish correspondence exclusively, whenever this correspondence is forwarded without the intervention of countries or services foreign to the Postal Union of the Americas and Spain.



## ARTICULO 109

*Constitución de la Oficina Internacional*

1. El Director de la Oficina Internacional será nombrado por el Gobierno de la República Oriental del Uruguay, a propuesta de la Dirección General de Correos de dicho país, y gozará de la retribución mensual de 500 pesos uruguayos.

El Secretario, el Oficial primero-Traductor y demás personal serán nombrados a propuesta del Director de la Oficina Internacional, por la Dirección General de Correos del Uruguay, fijándose el sueldo mensual del Secretario en la suma de 250 pesos uruguayos y el del Oficial primero-Traductor, en 150 pesos uruguayos.

Dicho personal sólo podrá ser removido de sus cargos con la intervención de la Dirección General de Correos del Uruguay y con arreglo a los procedimientos que a tal efecto rijan para los empleados fijos de la propia Dirección.

2. El Director de la Oficina Internacional concurrirá a los Congresos y Conferencias de la Unión Postal de las Américas y España, a los efectos del cumplimiento de lo dispuesto por los artículos 23 y 30 del Convenio; asistirá a las sesiones, pudiendo tomar parte en las discusiones, sin derecho a voto.

3. El idioma oficial de la Oficina Internacional es el español. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio en sus relaciones con ella.

## ARTICULO 110

*Jubilaciones y pensiones*

1. Las pensiones y jubilaciones del personal de la Oficina Internacional de Montevideo serán pagadas exclusivamente del fondo propio que, para tal objeto, tiene destinada dicha Oficina y que se forma con la contribución de todos los países de la Unión. Las con-

## ARTICLE 109

*Constitution of International Office*

1. The Director of the International Office will be appointed by the Government of the Eastern Republic of Uruguay, at the proposal of the Administration of Posts of the said country, and will receive monthly compensation in the amount of 500 Uruguayan pesos.

The Secretary, the First Translating Official and the other personnel will be appointed, at the proposal of the Director of the International Office, by the Administration of Posts of Uruguay, the monthly salary of the Secretary being fixed at the sum of 250 Uruguayan pesos and that of the First Translating Official at 150 Uruguayan pesos.

The said personnel may be removed from their posts only with the intervention of the Administration of Posts of Uruguay, in accordance with the procedure established in that connection for permanent employees of the same Administration.

2. The Director of the International Office will attend Congresses and Conferences of the Postal Union of the Americas and Spain, for the purpose of complying with the provisions of Articles 23 and 30 of the Convention, and will be present at sessions, being permitted to take part in discussions without right to vote.

3. The official language of the International Office is Spanish. Nevertheless, countries whose language is not Spanish may use their own in relations with the Office.

Constitution of International Office.

Director, appointment.

Compensation.

Secretary, and other personnel.

Removal of employees.

Attendance of Director at Congresses, etc.

*Ante*, pp. 1671, 1676.

Official language.

## ARTICLE 110

*Retirement and pensions*

1. The pensions and retirement of personnel of the International Office of Montevideo will be paid exclusively from the special fund which the said Office has set aside for that purpose out of the contributions of all the countries of the Union. The conditions for and

Retirement and pensions.

diciones y el monto de esas jubilaciones y pensiones se sujetarán a las leyes sobre la materia vigentes en el Uruguay para sus propios funcionarios y empleados.

2. Una vez que el Gobierno del Uruguay haya expedido la reglamentación respectiva, ésta se dará a conocer a las Administraciones de la Unión, por conducto de la Oficina Internacional.

amount of such retirement and pensions will be governed by the laws on the subject in force in Uruguay for its own officers and employees.

2. Once that the Government of Uruguay has issued the respective regulations, the latter will be made known to the Administrations of the Union through the intermediary of the International Office.

#### ARTICULO 111

##### *Cuentas y Gastos de la Oficina Internacional*

Expenses, limitation.

1. Los gastos de la Oficina Internacional no podrán exceder de la cantidad de 13.000 pesos oro uruguayos por año, incluyéndose en dicha cantidad la constitución de un fondo para jubilación del personal de la misma.

Division of expenses.

2. Para la distribución de los gastos anuales y extraordinarios de la Oficina, los países contratantes se dividen en tres categorías, correspondiendo contribuir a los de la primera con ocho unidades; a los de la segunda con cuatro unidades, y a los de la tercera con dos unidades.

Pertenecen a la primera categoría: Argentina, Brasil, Canadá, España, Estados Unidos de América y Uruguay; a la segunda categoría: Colombia, Cuba, Chile, México y Perú, y a la tercera categoría: Bolivia, Costa Rica, Dominicana, Ecuador, El Salvador, Guatemala, Haití, Honduras, Nicaragua, Panamá, Paraguay y Venezuela.

Annual account of expenses.

3. La Dirección General de Correos de la República Oriental del Uruguay, formulará anualmente la cuenta de los gastos a que se refiere el artículo 23 del Convenio, y de acuerdo con éste, las Administraciones contratantes reintegrarán las sumas que aquella haya anticipado.

Ante, p. 1671.

Settlement.

4. La Oficina Internacional practicará la liquidación de las cuentas relativas a los servicios que se ejecuten entre los países contratantes, salvo acuerdo en contrario, siguiendo para ello los procedimientos generales estable-

#### ARTICLE 111

##### *Account and expenses of International Office*

1. The expenses of the International Office may not exceed the annual sum of 13,000 Uruguayan gold pesos; said amount including the establishment of a retirement fund for the personnel thereof.

2. For the division of the annual and extraordinary expenses of the Office, the contracting countries are divided into three classes; those of the first class having to contribute eight units; those of the second, four units; and those of the third, two units.

The following belong to the first class: Argentina, Brazil, Canada, Spain, the United States and Uruguay; the following to the second class: Colombia, Cuba, Chile, Mexico and Peru; and the following to the third class: Bolivia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay and Venezuela.

3. The Administration of Posts of the Eastern Republic of Uruguay will prepare annually the account of expenses referred to by Article 23 of the Convention, and, in conformity with that Article, the contracting Administrations will reimburse it for sums which it has advanced.

4. The International Office will effect the settlement of accounts relative to services carried on among the contracting countries, unless a contrary agreement is made, and will follow, in that connection, the general procedure es-

cidos por el Convenio vigente de la Unión Postal Universal.

5. Mientras subsista la depreciación de la moneda uruguaya, la Dirección General de Correos del Uruguay bonificará en un 30% los sueldos establecidos en el artículo 109.

established by the Universal Postal Convention in force.

5. As long as the depreciation of Uruguayan money continues, the Administration of Posts of Uruguay will make a 30% increase in the salaries fixed by Article 109.

Salary adjustment.

*Ante*, p. 1685.

#### ARTICULO 112

##### *Informaciones—Peticiones de modificaciones de Actas*

La Oficina Internacional estará siempre a disposición de las partes contratantes para facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de Correos américoespañol y dará curso a las peticiones de modificación o de interpretación de las disposiciones que rijan la Unión Postal de las Américas y España, y notificando el resultado de cada gestión.

#### ARTICLE 112

##### *Information—Requests for modification of Acts*

The International Office will always be at the service of the contracting parties, to furnish them whatever special information they require concerning matters connected with the Americo-Spanish postal service; and will circulate requests for modification or interpretation of the provisions governing the Postal Union of the Americas and Spain, and make known the result of each operation.

Furnishing of information.

Requests for modification, etc., of provisions.

#### ARTICULO 113

##### *Publicaciones*

1. La Oficina Internacional de la Unión Postal de las Américas y España dirigirá una circular especial cuando una Administración solicite la inmediata publicación de algún cambio que haya introducido en sus servicios y distribuirá asimismo, gratuitamente, a cada una de las Administraciones de los países contratantes y a la Oficina Internacional de Berna, los documentos que publique, debiendo remitir a cada Administración el número de ejemplares que le corresponda, en proporción a las unidades con que contribuye.

Los ejemplares suplementarios de los documentos que soliciten las Administraciones serán abonados por ellas a precio de coste.

2. La Oficina Internacional repartirá entre los países contratantes las proposiciones que reciba, conforme a lo que establece el artículo 28 del Convenio. Al efecto, todos los países de la Unión Postal de las Américas y España darán a conocer, por conducto de la misma Oficina y con la debida oportunidad, según se establece en el Convenio, las proposi-

#### ARTICLE 113

##### *Publications*

1. The International Office of the Postal Union of the Americas and Spain will send out a special circular when an Administration requests immediate publication of any change that has been introduced in its service, and will likewise furnish gratuitously, to each of the Administrations of the contracting countries and to the International Bureau of Berne, the documents which it publishes, allowing each Administration the number of copies which corresponds to the number of units which it contributes.

Additional copies of documents requested by Administrations will be paid for by them at cost.

2. The International Office will distribute among the contracting countries the propositions which it receives in accordance with the provisions of Article 28 of the Convention. To that end, all countries of the Postal Union of the Americas and Spain will make known through the intermediary of the same Office, and in due time, as established by the Convention,

Publications.

Distribution of propositions.

*Ante*, p. 1675.

Notice to be given.

ciones que formulen para los Congresos Universales, con el fin de que tales iniciativas sean apoyadas por el conjunto de dichos países.

#### ARTICULO 114

*Documentos e informes que se remitirán a la Oficina Internacional*

1. La Oficina Internacional servirá de intermediaria para las notificaciones regulares y generales que interesen exclusivamente a las Administraciones de los países contratantes.

Las referidas Administraciones deberán enviar regular y oportunamente a la Oficina Internacional:

a) La Legislación postal y sus modificaciones sucesivas;

b) La Guía postal, cada vez que sea editada;

c) Los mapas y guías de las comunicaciones postales que utilicen, tanto para el servicio interno como para el internacional;

d) Un informe sobre las vías terrestres y marítimas más rápidas que puedan utilizarse para la transmisión de correspondencia;

e) Los resultados de su estadística postal anual y del movimiento con los demás países americanos.

f) El texto de las proposiciones que sometan a la consideración de los Congresos Postales Universales;

g) Los datos de toda clase que interesen al servicio postal americano-español, en cada ocasión en que dicte alguna nueva disposición;

h) Todos los informes que solicite la propia Oficina Internacional para las publicaciones, memorias y demás asuntos de su competencia, en forma tal que permitan la ejecución de su cometido en el más breve plazo;

i) Un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España que puedan ser utilizados gratuitamente por los demás para el transporte de su correspondencia.

2. Toda modificación ulterior será comunicada sin demora.

the propositions which they formulate for Universal Congresses, in order that such propositions may be supported by all the said countries.

#### ARTICLE 114

*Documents and information to be sent to International Office*

1. The International Office will serve as intermediary for regular and general notifications which exclusively concern the Administrations of the contracting countries.

Said Administrations shall send to the International Office, regularly and promptly:

(a) Their postal legislation and its subsequent modifications.

(b) Their Postal Guide, each time that it is published.

(c) Maps and guides of postal communications which they utilize, for both domestic and international service.

(d) Information as to the most rapid territorial and maritime routes which may be used for transmission of correspondence.

(e) The results of the annual statistics of their postal traffic with other Americo-Spanish countries.

(f) The text of their propositions submitted to Universal Postal Congresses for consideration.

(g) Data of all kinds concerning the Americo-Spanish postal service, every time that some new provision is established.

(h) All information requested by the International Office itself for publication, reports and other matters pertaining to it, in such manner as to permit the execution of its task as soon as possible.

(i) A table showing in detail all maritime services belonging to countries of the Postal Union of the Americas and Spain which may be used gratuitously by the others for the transportation of their correspondence.

2. All subsequent modifications will be communicated without delay.

Documents and information to be sent to International Office.

## ARTICULO 115

*Modificaciones en el intervalo de las reuniones de los Congresos*

En el intervalo que transcurre entre las reuniones de los Congresos, las Administraciones tendrán derecho a formular proposiciones relativas al presente Reglamento, siguiendo el procedimiento indicado en el Convenio vigente de la Unión Postal Universal.

Para que tengan fuerza ejecutiva esas proposiciones, deberán reunir los dos tercios de los votos emitidos.

## ARTICULO 116

*Aplicación del Convenio Postal Universal y de la Legislación interna*

1. Todos los asuntos que se relacionen con el cambio de correspondencia entre los países contratantes y que no estén previstos en este Reglamento, se sujetarán a las disposiciones del Reglamento del Convenio vigente de la Unión Postal Universal.

2. Igualmente la legislación interior de los mismos países se aplicará en todo aquello que no haya sido determinado por ambos Reglamentos.

## ARTICULO 117

*Vigencia y duración del Reglamento*

El presente Reglamento empezará a regir el mismo día que el Convenio a que se refiere, y tendrá la misma duración que éste.

Hecho en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de 1936.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA  
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

## ARTICLE 115

*Modifications in the interval between meetings of Congresses*

In the interval which transpires between meetings of Congresses, Administrations will have the right to formulate propositions relative to the present Regulations, following the procedure indicated in the Convention of the Universal Postal Union in force.

In order to become effective, those propositions must obtain two-thirds of the votes cast.

## ARTICLE 116

*Application of Universal Postal Convention and domestic legislation*

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in these Regulations will be subject to the stipulations of the Regulations of the Convention of the Universal Postal Union in force.

2. Likewise, the domestic legislation of the same countries will be applicable in everything that has not been determined by either set of Regulations.

## ARTICLE 117

*Effective date and duration of Regulations*

The present Regulations will become effective on the same date as the Convention to which they relate, and will have the same duration.

Done in the city of Panama, Republic of Panama, on the 22 day of December, 1936.

*Por Canadá*

PETER T. COOLICAN

F. E. JOLLIFFE

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

Modifications between meetings.

Application of Universal Postal Convention.

49 Stat. 2756.

Domestic legislation.

Effective date and duration of Regulations.

Signatures.

*Por Chile:*

SILVERIO BRAÑAS  
MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.  
VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Estados U. de América:*

*Por* HARLEE<sup>1</sup> BRANCH,  
JOHN E. LAMIELL

JOHN E. LAMIELL  
STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Haití:*

ANDRÉ FAUBERT

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ  
JOSÉ ROERTO<sup>1</sup> MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO  
BROWNE

*Por Panamá:*

JOSÉ E. ARJONA  
JUAN B. CHEVALIER  
JUAN BRIN  
CARLOS ORTIZ R.  
TOMÁS H. JÁCOME  
MANUEL DE J. QUIJANO  
ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR  
ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PEÑA

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS  
CARLOS HARTMANN

Ratification by  
Postmaster General.

Having examined and considered the provisions of the foregoing Convention, Final Protocol of the Convention, and the Regulations of Execution of the Convention, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 12<sup>th</sup> day of August, 1937.

[SEAL]

JAMES A FARLEY  
*Postmaster General.*

Approval by the  
President.

I hereby approve the above-mentioned Convention, Final Protocol of the Convention, and the Regulations of Execution of the Convention, and in testimony thereof have caused the seal of the United States to be hereto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL  
*Secretary of State.*

WASHINGTON, August 20, 1937.

<sup>1</sup> So in original.

## VOTOS DEL CONGRESO

RESOLUTIONS OF THE CONGRESS<sup>1</sup>

Resolutions of the Congress.

El IV Congreso Postal Américo-español recomienda a todos los países que forman esta Unión:

The Fourth Americo-Spanish Postal Congress recommends to all the countries forming this Union:

Recommendations.

## I

Que constituyendo el servicio de encomiendas postales un medio que facilita las relaciones comerciales entre los países contratantes, sería conveniente derogar cuantos requisitos signifiquen una restricción para la efectividad de dicho servicio y suprimir la exigencia de facturas y visados consulares, así como los certificados de origen, para las encomiendas cuyo valor no exceda de 150 francos oro o su equivalencia.

That, as the parcel-post service constitutes a medium which facilitates commercial relations among the contracting countries, it would be fitting to abolish all requirements which signify a restriction on the effectiveness of said service, and to abolish the requirement for consular invoices and visas, as well as certificates of origin, for parcels whose value does not exceed 150 gold francs or the equivalent thereof.

Abolishment of requirements restricting service.

Consular invoices, visas, etc.

## II

Que en vista de que los anuncios constituyen un medio de divulgación útil y conveniente, tendiente a aumentar el conocimiento de los pueblos, el Congreso opina que los envíos de tal naturaleza deberían ser transportados en el servicio postal internacional sin estar sujetos a derechos aduaneros o a requisitos que tiendan a limitar sus fines.

In view of the fact that advertisements constitute a useful and convenient medium for spreading information which tends to increase the knowledge of the peoples, it is the sense of the Congress that articles of that nature should be transported in the international postal service without being subject to customs duties or to requirements which tend to limit their aims.

Transit of advertisements.

## III

Que las Administraciones de la Unión Postal de las Américas y España creen, a serles posible, una Oficina de Información en la sede de las Centrales de Correos, con un salón de lectura, en el cual se pongan a disposición del público, libros, diarios, revistas y publicaciones en general de los distintos países de la Unión, remitidos gratuitamente por los gobiernos, empresas editoriales, autores, etc.

That the Administrations of the Postal Union of the Americas and Spain create, if possible, Information Offices in the Central Post Offices, with reading rooms, in which are placed, at the disposal of the public, books, newspapers, magazines, and publications in general from the different countries of the Union, furnished gratuitously by the Governments, publishing companies, authors, etc.

Creation of information offices in central post offices.

## IV

Que gestionen de las Compañías de navegación de países extraños a la Unión Postal de las Américas

That they try to obtain from steamship companies of countries foreign to the Postal Union of the

Reduced steamship rates.

<sup>1</sup> Translation by Post Office Department.

y España que transporten su correspondencia, la rebaja de los fletes actuales, y que, en ningún caso, cobren por unidad de peso una suma mayor de la que perciban del país de origen, salvo en los casos en que por privilegio de paquete o de otra naturaleza, dichas Compañías estén obligadas al transporte gratuito.

Americas and Spain which transport their correspondence a reduction in the present rates, and their agreement in no case to collect a sum per weight-unit greater than that which they collect from the country of origin, except in cases where, due to packet or other privileges, said companies are obliged to perform gratuitous transportation.

## V

Commemorative  
postage stamps.

Que los Gobiernos respectivos autoricen la emisión de sellos de correos para conmemorar la celebración de los Congresos Postales Américoespañoles, eligiendo, de acuerdo con la Oficina Internacional de Montevideo, diseños alegóricos de la reunión de los Congresos o de los vínculos de solidaridad y fraternidad que unen a los países de América con España.

## V

That the respective Governments authorize the issuance of postage stamps in commemoration of the meeting of Americo-Spanish Postal Congresses, selecting, by agreement with the International Office of Montevideo, allegorical designs of the meeting of Congresses or of the bonds of solidarity and fraternity which unite the countries of America with Spain.

## VI

Air surcharges, etc.

Que las Administraciones de la Unión Postal Américoespañola, antes de la reunión del próximo Congreso, procedan a efectuar estudios cuidadosos respecto a la posibilidad de establecer sobretasas y gastos de transporte aéreos uniformes, tomando como base las sugerencias que figuran a continuación:

## VI

That the Administrations of the Americo-Spanish Postal Union, before the meeting of the next Congress, proceed to make careful study of the possibility of fixing uniform air surcharges and transportation charges, using the following suggestions as the basis:

Basis suggested.

*Sobretasas**Surcharges*

Surcharges.

1. Los objetos que deban transmitirse por la vía aérea, pagarán, además de las tasas postales reglamentarias, una sobretasa especial de transporte aéreo, determinada por la Administración del país de origen, sin que ella pueda exceder en ningún caso de 25 céntimos de franco oro por cada 5 gramos o fracción y por 1.500 kilómetros de recorrido aéreo.

2. Cuando una Administración adopte para el franqueo de la correspondencia aérea una tasa que represente la totalidad de los portes, el monto del franqueo exigido no podrá ser superior al previsto en el parágrafo anterior.

1. Articles to be transmitted by air mail will be liable, in addition to the regular postage rates, to a special surcharge for air transportation, fixed by the Administration of the country of origin, which may in no case exceed 25 centimes of a gold franc for each 5 grams or fraction and for each 1500 kilometers of air transmission.

2. When an Administration adopts, for the prepayment of air-mail correspondence, a charge representing the total of the rates, the amount of postage required may not be higher than that provided for in the preceding Section.



3. Para los objetos distintos a las cartas, tarjetas postales y valores declarados, el monto total del franqueo podrá reducirse en una 1/5 parte como mínimo.

3. For articles other than letters, post cards and insured articles, the total amount of postage may be reduced to one-fifth as a minimum.

### *Gastos de Transporte*

1. La tarifa básica para la liquidación de las cuentas relativas al transporte aéreo realizado entre los países de la Unión Postal Américoespañola será de 25 milésimos (0,025) de franco oro por kilogramo de peso bruto y por kilómetro, como máximo.

2. Cuando la correspondencia aérea hubiere de transitar por las líneas internas de los países intermediarios o de destino, dicho transporte será cubierto por la Administración de origen sobre la misma base prevista en el párrafo 1.

En lo que respecta a la Administración de destino, la bonificación será uniforme para todos los recorridos efectuados dentro de su territorio. A tal efecto, cada Administración indicará un promedio de sus gastos para su recorrido interno.

3. La misma tarifa de tránsito será aplicada a la correspondencia expedida de una Administración de la Unión, por intermedio de otra Administración américoespañola, para cualquier país que se rija por las disposiciones del régimen universal, en la parte que se relacione con los transportes efectuados dentro del territorio de las Américas y España.

4. El transporte de la correspondencia en tránsito efectuado por un país intermediario con destino a otro que no pertenezca a la Unión Postal Américoespañola, se someterá a las tasas y condiciones que dicho país haya indicado en la lista A. V. 1, editada por la Oficina de Berna.

### *Transportation charges*

1. The basic rate for settlement of accounts relative to air transportation performed between countries of the Americo-Spanish Postal Union will be 25 thousandths (0.025) of a gold franc per kilogram of gross weight and per kilometer, as a maximum.

2. When airmail correspondence must pass in transit over the domestic lines of the countries of intermediation or destination, said transportation will be paid for by the Administration of origin on the same basis as indicated in Section 1.

In regard to the Administration of destination, payment will be uniform for all transportation effected within its territory. To that end, each Administration will indicate an average charge for its domestic service.

3. The same transit rate will be applied to correspondence originating in one Administration of the Union, sent through the intermediary of another Americo-Spanish Administration to any country to which the provisions of the Universal régime are applicable, insofar as concerns transportation performed within the territory of the Americas and Spain.

4. The transportation of correspondence in transit effected by an intermediary country, destined for another country which does not belong to the Americo-Spanish Postal Union, will be subject to the rates and conditions which the said country has indicated in the list A V 1 published by the Bureau at Berne.

## VII

Que inspirados en la obra inmortal realizada por el Adelantado Vasco Nuñez de Balboa, con-

## VII

That, inspired by the immortal work performed by the intrepid Vasco Nuñez de Balboa, consist-

Vasco Nuñez de Balboa.

sistente en el descubrimiento del Océano Pacífico, obra sólo comparable a la verificada por el sublime visionario Cristóbal Colón.

ing of the discovery of the Pacific Ocean, which is comparable only to the work performed by that sublime visionary, Christopher Columbus;

*Resuelvan:*

*They resolve:*

Monumental light-house in memory of.

1. Gestionar ante los Gobiernos de los Estados Unidos de América y de Panamá, si fuere necesario, la autorización para que sea erigido en el territorio del Istmo, sobre el Pacífico, un faro monumental a la memoria de Vasco Núñez de Balboa, semejante al que se piensa erigir en la República Dominicana en honor de Cristóbal Colón, requiriendo para ello el concurso oficial y efectivo de todos los Gobiernos americanos para que emitan sellos especiales de franqueo, cuyo producto se dedicará a la construcción proyectada, mediante cuota, en análogas proporciones a la que aportan los países de la Unión Postal de las Américas y España para el sostenimiento de la Oficina Internacional de Montevideo.

1. To request from the Governments of the United States of America and Panama, if necessary, authorization for the erection on the Pacific, within the territory of the Isthmus, of a monumental lighthouse in memory of Vasco Núñez de Balboa, similar to the one whose erection is contemplated in the Dominican Republic in honor of Christopher Columbus, for that purpose calling on all the American Governments for official and effective cooperation by issuing special postage stamps, the proceeds of which will be dedicated to the proposed construction, on the basis of quotas in proportions similar to those contributed by the countries of the Postal Union of the Americas and Spain to the upkeep of the International Office of Montevideo.

Executive Committee to arrange for competitive plans, etc.

2. Facultar a esta misma Oficina para que, por la vía diplomática, obtenga del Gobierno de los Estados Unidos y del de la República de Panamá la designación de representantes que integren una Comisión ejecutiva que se entienda con la organización de un concurso para la presentación de planos y su selección, construcción de la obra, recaudación de fondos, etc.

2. To authorize the said Office to obtain, through diplomatic channels, from the Governments of the United States and Panama, the designation of representatives to constitute an Executive Commission which will arrange for the organization of a competition for the submission of plans and their selection, construction of the work, collection of funds, etc.

Notice of lighthouse completion.

3. Que una vez efectuada la construcción del faro, la Oficina Internacional comunique el hecho a los países interesados, a fin de que acuerden lo correspondiente al día de la inauguración.

3. That, as soon as the construction of the lighthouse is completed, the International Office shall give notice of the fact to the countries concerned, in order that they may come to an agreement concerning the day of inauguration.

VIII

VIII

Tourist post cards.

Que resuelvan la emisión de tarjetas postales de turismo a tarifa moderada, con vistas de las principales ciudades americanas y de España, y bellezas geográficas de cada país.

That they provide for the issuance of tourist post cards at a reduced rate, with views of the principal American and Spanish cities, and the geographic beauties of each country.

## IX

Que recomienden la emisión de un sello oficial análogo para todas las naciones américoespañolas que no tenga denominación, sino que diga simplemente «Correspondencia oficial» o «Servicio del Estado».

That they recommend the issuance of an official postage stamp, similar for all Americo-Spanish nations, having no denomination, but simply reading *Correspondencia oficial* (Official correspondence) or *Servicio del Estado* (Government service).

Official postage stamp.

## X

Que establezcan el servicio de suscripciones a diarios y publicaciones periódicas, más o menos sobre las bases fijadas en el Acuerdo respectivo de la Unión Postal Universal.

That they establish the service of subscriptions to newspapers and periodical publications, more or less on the basis fixed by the respective Agreement of the Universal Postal Union.

Newspaper, etc., subscriptions.

## XI

Que los países signatarios propendan a que la reducción de las tasas de transporte de la correspondencia por vía aérea, que tienen en estudio los Estados Unidos de América, sea lo más acentuada posible, a fin de que en un futuro cercano el servicio de transporte aéreo de la correspondencia no asuma el carácter que hoy tiene y se procure así su mayor difusión y aprovechamiento.

That the signatory countries make every effort so that the reduction in transportation charges for airmail correspondence now being studied by the United States of America may be as great as possible, in order that, in the near future, the service of air transportation may cease to have the character which it has today, and thus bring about its more widespread utilization.

Air transportation rate reduction.

## IX

## X

## XI

Parcel post agreement.

ACUERDO RELATIVO A  
ENCOMIENDAS POSTALES

celebrado entre:

AGREEMENT RELATIVE TO  
PARCEL POST

concluded between

Contracting Powers. Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

Source of authority. Los infrascritos, Plenipotenciarios de los Gobiernos de los países arriba mencionados, en ejercicio de la facultad concedida por el artículo 5 del Convenio vigente de la Unión Postal Universal convienen, a reserva de ratificación, en establecer el servicio de encomiendas de acuerdo con las cláusulas siguientes:

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the option conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, to the establishment of parcel-post service in accordance with the following provisions:

49 Stat. 2746.

## ARTICULO 1

*Objeto del Acuerdo*

Object.

1. Bajo la denominación de «Encomienda Postal», o de las expresiones sinónimas «Paquete Postal» y «Bulto Postal», podrán expedirse de uno de los países precedentemente enumerados a cualquier otro de los mismos, esta clase de envíos.

Registration.

2. El remitente de una encomienda podrá certificarla pagando, además del franqueo, la misma tasa de certificación que tenga el país de origen.

Insured or collect-on-delivery parcels.

3. Las encomiendas postales podrán ser expedidas con declaración de valor o contra reembolso, cuando los países adheridos convengan en adoptar estas modalidades del servicio en sus relaciones recíprocas.

Containers.

La expedición de tales envíos será obligatoria en envases de buenas condiciones, debidamente cerrados.

## ARTICULO 2

*Tránsito*

Transit.

1. La libertad de tránsito queda garantizada en el territorio de cada uno de los países contratantes. En consecuencia, las

## ARTICLE 1

*Object of Agreement*

1. Under the denomination of *parcel post* (*Encomienda postal*, *Paquete postal* or *Bulto postal*), this class of mail matter may be sent from any one of the above-mentioned countries to any other of them.

2. The sender of a parcel may register it by paying, in addition to the postage, the same registration fee as has been fixed by the country of origin.

3. Parcels may be sent insured or collect-on-delivery, when the adhering countries agree to adopt these types of service in their reciprocal relations.

4. The dispatch of such parcels in containers in good condition, properly fastened, will be obligatory.

## ARTICLE 2

*Transit*

1. Liberty of transit is guaranteed over the territory of every one of the contracting countries. Consequently, the various Admin-

diversas Administraciones podrán utilizar la mediación de uno o varios países para el cambio recíproco de encomiendas.

2. La transmisión de encomiendas se efectuará en despachos cerrados, o al descubierto cuando así lo convengan las Administraciones interesadas, debiéndose cursar por las vías más rápidas terrestres y marítimas que utilicen para sus propios envíos los países que intervengan en el transporte.

3. Las Administraciones remitentes estarán obligadas a enviar una copia de las hojas de ruta a cada una de las Administraciones intermediarias, cuando los despachos se hagan en tránsito cerrado.

### ARTICULO 3

#### *Peso y dimensiones*

1. El peso máximo de cada encomienda será de 20 kilogramos, quedando las Administraciones en libertad de limitarlo a 10, cuando las posibilidades de sus medios internos lo hagan indispensable, previo aviso que darán a los demás países signatarios por conducto de la Oficina Internacional de Montevideo.

2. Los límites de peso para las encomiendas, serán los siguientes:

Hasta de 1 kilogramo;

De más de 1 y hasta 5 kilogramos;

De más de 5 y hasta 10 kilogramos;

De más de 10 y hasta 15 kilogramos;

De más de 15 y hasta 20 kilogramos.

3. Las dimensiones máximas de las encomiendas, serán fijadas por el acuerdo vigente de la Unión Postal Universal, relativo a este servicio; pudiendo sin embargo, las Administraciones contratantes admitir, previa la conformidad de los países intermediarios, encomiendas con otro límite de dimensiones.

4. Las encomiendas embarazosas, o sean las que exceden de 1,05 metros en cualquiera de sus lados, se admitirán solamente en las relaciones entre los países que por convenio especial estén dispuestos a efectuar su transporte.

Administrations may use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels will be sent in closed mails, or in open mail when the Administrations concerned have so agreed, and shall be forwarded by the most rapid land and sea routes which are utilized for their own mails by the countries participating in the transportation.

3. The dispatching Administrations will be obliged to send a copy of the parcel bills to each of the intermediary Administrations, when the dispatches are sent in closed-mail transit.

Manner of sending.

Parcel bills.

### ARTICLE 3

#### *Weight and dimensions*

1. The maximum weight of each parcel will be 20 kilograms, the Administrations remaining at liberty to limit it to 10, when the capacity of their domestic service makes that measure necessary, previous notice being given to the other signatory countries through the intermediary of the International Office of Montevideo.

2. The divisions of weight for parcels will be the following:

Up to 1 kilogram;

From 1 to 5 kilograms;

From 5 to 10 kilograms;

From 10 to 15 kilograms;

From 15 to 20 kilograms.

Weight and dimensions.

Maximum dimensions.

Exceptions.

Bulky parcels.

3. The maximum dimensions for parcels will be fixed by the Agreement of the Universal Postal Union in force relative to this service. Nevertheless, the contracting Administrations may, after obtaining the consent of the intermediary countries, accept parcels with other limits of dimensions.

4. Bulky parcels, i. e., those exceeding 1.05 meters in any direction, will be accepted only in relations between countries which are willing to effect their transportation by special agreement.

## ARTÍCULO 4

## ARTICLE 4

*Tarifas y bonificaciones**Postage rates and payments*

Postage rates and payments.

Maritime rates.

Fixed rates.

Optional increase.

Special authorization.

No obligation to fix rate lower than domestic charge.

Proration of credit.

Table of land-transit rates.

1. La tarifa de las encomiendas intercambiadas con arreglo a este Acuerdo, se forma únicamente con la suma de los portes de origen, tránsito y destino. Llegado el caso, se agregarán los derechos marítimos previstos en el Acuerdo vigente de la Unión Postal Universal, sobre cambio de encomiendas postales.

2. Los portes de origen, tránsito y destino se fijan para cada país, en francos oro o su equivalente como sigue:

25 céntimos por encomienda hasta de 1 kilogramo;

50 céntimos por encomienda de más de 1 y hasta 5 kilogramos;

100 céntimos por encomienda de más de 5 y hasta 10 kilogramos;

150 céntimos por encomienda de más de 10 y hasta 15 kilogramos;

200 céntimos por encomienda de más de 15 y hasta 20 kilogramos.

3. Sin embargo, las Administraciones contratantes tendrán la facultad de aumentar estos portes hasta el duplo de los mismos.

4. Las Administraciones que en el régimen universal gocen de autorizaciones especiales para elevar los derechos consignados en los dos párrafos anteriores, podrán también hacer uso de dichas autorizaciones en el régimen américoespañol.

5. A pesar de lo dispuesto en los párrafos anteriores, ninguna Administración contratante estará obligada a señalar una tarifa inferior a la que tenga establecida para esta clase de envíos en su servicio interno.

6. La Administración de origen acreditará a cada una de las Administraciones que intervengan en el transporte, incluso a la de destino, los portes correspondientes con arreglo a lo dispuesto en los párrafos anteriores.

7. La Oficina Internacional editará y distribuirá el cuadro de los portes de tránsito territorial y los de salida y llegada que correspondan a cada Administración, actualizándolo por medio de suplementos.

1. The postage on parcels exchanged under this Agreement is composed only of the sum of the rates of origin, transit and destination. If necessary, the maritime rates provided for by the Agreement of the Universal Postal Union in force concerning the exchange of parcel post will be added.

2. The rates of origin, transit and destination are fixed for each country, in gold francs or their equivalent, as follows:

25 centimes for parcels up to 1 kilogram;

50 centimes for parcels from 1 to 5 kilograms;

100 centimes for parcels from 5 to 10 kilograms;

150 centimes for parcels from 10 to 15 kilograms;

200 centimes for parcels from 15 to 20 kilograms.

3. However, the contracting Administrations will have the option of increasing these rates up to double their amount.

4. Administrations which, in the Universal service, are specially authorized to increase the rates set forth in the two preceding Sections, may also make use of such authorization in the Americo-Spanish service.

5. Notwithstanding the provisions of the foregoing Sections, no contracting Administration will be obliged to fix a rate lower than that which it has established for this class of articles in its domestic service.

6. The Administration of origin will credit each of the Administrations taking part in the transportation, including that of destination, with the corresponding charges, in accordance with the provisions of the foregoing Sections.

7. The International Office will publish and distribute the table of land-transit rates and those of origin and destination payable to each Administration, keeping it up to date by means of supplements.

## ARTICULO 5

*Derechos por despacho de aduanas, entrega, almacenaje y otros*

1. Las Administraciones de destino podrán cobrar a los destinatarios de las encomiendas:

a) Un derecho de 50 céntimos de franco oro o su equivalencia, como máximo, por las operaciones, formalidades y trámites inherentes al despacho de aduanas;

b) Un derecho de 50 céntimos de franco oro o su equivalencia, como máximo, por la conducción y entrega de cada encomienda en el domicilio del destinatario.

Cuando las encomiendas no sean entregadas en el domicilio del destinatario, éste deberá ser avisado de la llegada. En este caso, las Administraciones cuyo régimen interior lo exija, percibirán un derecho especial por la entrega de dicho aviso. Este derecho no podrá exceder del porte sencillo de una carta ordinaria del servicio interior;

c) Un derecho diario de almacenaje, que no podrá exceder del señalado por la legislación postal de cada país, cobrado a partir de los plazos prescritos en ella, sin que en ningún caso el total a percibir puede exceder de 5 francos oro o su equivalencia;

d) Los derechos arancelarios y todos los demás derechos no postales que establezca su legislación interior;

e) La cantidad que corresponda por concepto de derecho consular, cuando no se hubiere abonado de antemano por el remitente;

f) El derecho de reembalaje de 30 céntimos como máximo, previsto en el Acuerdo correspondiente del Convenio Postal Universal vigente. Este derecho se hará efectivo al destinatario o al remitente, según el caso.

2. Quedarán exentas del pago de derechos postales de entrega las encomiendas destinadas a los Cónsules y Vicecónsules en ejercicio, cuando las mismas contuvieren artículos no sujetos al pago de derechos aduaneros.

## ARTICLE 5

*Customs-clearance, delivery, storage and other charges*

1. The Administrations of destination may collect from the addressees of parcels:

(a) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the operations, formalities and transactions in connection with customs handling;

(b) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the transmission and delivery of each parcel to the address of the addressee.

When parcels are not delivered at the address of the addressee, the latter shall be advised of their arrival. In this case, Administrations whose domestic regulations require it will collect a special fee for the delivery of such notice. This fee may not exceed the postage for a single weight-unit of an ordinary letter in the domestic service;

(c) A daily storage charge which may not exceed that fixed by the postal legislation of each country, charged from the time prescribed therein, provided that the total to be collected may in no case exceed five gold francs or the equivalent thereof;

(d) The customs duties and all other non-postal charges which their domestic legislation establishes;

(e) The amount corresponding to the consular fee, when it has not been prepaid by the sender;

(f) The repacking fee of 30 centimes at most provided for in the corresponding Agreement under the Universal Postal Convention in force. This fee will be collected from the addressee or from the sender, according to circumstances.

2. Parcels addressed to Consuls and Vice-Consuls acting as Consuls will be exempt from payment of postal delivery fees when they contain articles not liable to payment of customs duties.

Customs, etc., charges.

ARTICULO 6

*Anulación de los derechos aduaneros*

Cancelation of customs duties.

Las Administraciones contratantes se comprometen a gestionar ante los poderes competentes de sus respectivos países, dentro del menor plazo posible, la anulación de los derechos aduaneros relativos no solamente a las encomiendas devueltas al país de origen, sino también a las destruidas por cualquier motivo o reexpedidas para un tercer país.

Del mismo modo procederán las Administraciones, en lo que respecta a las encomiendas perdidas, expoliadas o averiadas en su servicio.

ARTICULO 7

*Prohibición de otros gravámenes*

Other charges prohibited.

Las encomiendas de que trata el presente Acuerdo no pueden ser gravadas con otros derechos postales fuera de los establecidos precedentemente.

Exceptions.

Sin embargo, las Administraciones que convengan entre sí la admisión de encomiendas contra reembolso o con valor declarado, estarán autorizadas para percibir los derechos especiales relativos a esta clase de envíos.

ARTICULO 8

*Responsabilidad*

Responsibility.

1. Las Administraciones serán responsables de la pérdida, sustracción o avería de las encomiendas ordinarias o certificadas.

Indemnity.

El remitente tendrá derecho por este concepto a una indemnización equivalente al importe real de la pérdida, sustracción o avería. Esta indemnización no podrá exceder de:

- 10 francos oro por encomienda hasta el peso de 1 kilogramo;
- 25 francos oro por encomienda de más de 1 y hasta 5 kilogramos;
- 40 francos oro por encomienda de más de 5 y hasta 10 kilogramos;
- 55 francos oro por encomienda de más de 10 y hasta 15 kilogramos;
- 70 francos oro por encomienda de más de 15 y hasta 20 kilogramos.

ARTICLE 6

*Cancellation of customs duties*

The contracting Administrations undertake to make representations to the competent authorities of their respective countries as soon as possible, with a view to obtaining cancelation of the relative customs duties, not only on parcels returned to the country of origin, but also on those destroyed for any reason or forwarded to a third country.

The same procedure will be followed by the Administrations with respect to parcels lost, rifled or damaged in their service.

ARTICLE 7

*Prohibition against other charges*

The parcels of which the present Agreement treats may not be subjected to any other postal charges than those established in the foregoing Articles.

However, Administrations which agree among themselves on the admission of collect-on-delivery or insured parcels will be authorized to collect the special charges relative to these classes of articles.

ARTICLE 8

*Responsibility*

1. The Administrations will be responsible for loss, rifling or damage of ordinary or registered parcels.

The sender will be entitled on that account to an indemnity equivalent to the actual amount of loss, rifling or damage. This indemnity may not exceed:

- 10 gold francs for each parcel up to 1 kilogram;
- 25 gold francs for each parcel from 1 to 5 kilograms;
- 40 gold francs for each parcel from 5 to 10 kilograms;
- 55 gold francs for each parcel from 10 to 15 kilograms;
- 70 gold francs for each parcel from 15 to 20 kilograms.



2. La indemnización se calculará según el precio corriente de la mercancía de la misma clase en el lugar y en la época en que la encomienda fuere aceptada para su transporte.

3. Por las encomiendas aseguradas, cambiadas entre aquellas Administraciones que convengan en establecer esta modalidad del servicio, la indemnización no podrá exceder de la declaración de valor.

4. En los casos de averías en las encomiendas, al recibirse en las Oficinas destinatarias, éstas deberán levantar un acta haciendo constar las circunstancias en que fueron recibidos los envíos, muy especialmente respecto al estado de los cierres y envases, que serán enviados a la Oficina de origen acompañados de un ejemplar del acta y del boletín de verificación correspondiente, así como también de las piezas certificativas.

Sólo deberá expedirse a los destinatarios constancias de esos faltantes, cuando las disposiciones del régimen interior de cada país así lo autoricen.

Igual procedimiento seguirán las Oficinas de origen, cuando se trate de encomiendas devueltas.

2. The indemnity will be calculated according to the current price of merchandise of the same kind at the place where and the time when the parcel is accepted for mailing.

3. For insured parcels exchanged between those Administrations which agree to establish this type of service, the indemnity may not exceed the insured value.

4. In cases where parcels are damaged when received at the offices of destination, the latter shall draw up a report setting forth the circumstances under which the parcels were received, particularly the condition of the fastenings and containers, which will be sent to the office of origin accompanied by a copy of the report and the corresponding bulletin of verification, as well as the other supporting evidence.

The addressees shall be notified of such irregularities only when the provisions of the domestic legislation of each country authorizes such action.

The same procedure will be followed by the offices of origin in the case of returned parcels.

Damaged parcels.

## ARTICULO 9

## ARTICLE 9

### *Encomiendas pendientes de entrega*

### *Parcels pending delivery*

1. Se fija en 30 días el plazo dentro del cual deben mantenerse las encomiendas a disposición de los interesados, en la Oficina de destino, pudiéndose ampliar hasta 90 días dicho plazo, por acuerdo de las Administraciones interesadas y en la inteligencia de que, en todo caso, la devolución se hará previa consulta al remitente.

2. Los remitentes, por virtud de las disposiciones contenidas en el párrafo anterior, estarán obligados a indicar en el boletín de expedición o en la declaración de aduana, en qué forma ha de procederse con sus envíos en caso de no poder ser entregados, sujetándose a una de las siguientes modalidades:

a) que la encomienda sea devuelta al origen;

1. The period for which parcels must be held at the disposal of the interested parties at the office of destination is fixed at 30 days. That period may be increased to 90 days by agreement between the Administrations concerned, it being understood that in every case the return will be effected without previously consulting the sender.

2. The senders, by virtue of the provisions contained in the preceding Section, will be obliged to indicate on the dispatch note or customs declaration what disposal is to be made of their parcels in case of non-delivery, limiting themselves to one of the following instructions:

(a) That the parcel be returned to origin;

Parcels pending delivery; period to be held.

Disposition to be indicated.

b) que la encomienda se entregue a otro destinatario;  
c) que la encomienda se considere abandonada.

(b) That the parcel be delivered to another addressee;  
(c) That the parcel be considered as abandoned.

## ARTICULO 10

*Declaraciones fraudulentas*

Fraudulent declarations.

1. En los casos en que se compruebe que los remitentes de una encomienda, por sí o de acuerdo con los destinatarios, declaren con falsedad la calidad, peso o medida del contenido; o que por otro medio cualquiera traten de defraudar los intereses fiscales del país de destino, eludiendo el pago de los derechos de importación, ocultando objetos o declarándolos en forma tal que evidencie la intención de suprimir o reducir el importe de esos derechos, queda facultada la Administración interesada para disponer de esos envíos conforme a su legislación interna, sin que ni el remitente, ni el destinatario, tengan derecho a su entrega, devolución o indemnización.

Notification.

2. La Administración que confiscue una encomienda, de conformidad con la precedente autorización, deberá notificarlo al destinatario y a la Administración de origen.

## ARTICLE 10

*Fraudulent declarations*

1. In cases where it is proved that the senders of parcels, by themselves or by agreement with the addressees, falsely declare the quality, weight or measure of the contents, or in any other way attempt to defraud the fiscal interests of the country of destination by avoiding payment of import duties, concealing articles or declaring them in such a way as to show the evident intention of nullifying or reducing the amount of such duties, the Administration concerned is authorized to dispose of those articles in accordance with its domestic legislation, and neither the sender nor the addressee will have any right to delivery, return or indemnity.

2. The Administration confiscating a parcel in accordance with the preceding authorization shall notify the addressee and the Administration of origin.

## ARTICULO 11

*Encomiendas para segundos destinatarios*

Parcels for second addressees.

Los remitentes de encomiendas dirigidas al cuidado de Bancos u otras entidades, para entregar a segundos destinatarios, estarán obligados a consignar en las etiquetas, fajillas o envolturas de aquéllas, el nombre y dirección exactos de las personas a quienes estuvieren destinados estos envíos. Sin embargo, se dará aviso al segundo destinatario de la existencia de esa encomienda, pudiéndose percibir el derecho fijado en el artículo 5; pero sin que pueda reclamar su entrega, sino mediante una autorización escrita del primer destinatario o del remitente. Este último deberá, en tal caso, gestionar la entrega por conducto de la Administración de origen.

Ante, p. 1699.

## ARTICLE 11

*Parcels for second addressees*

Senders of parcels addressed in care of banks or other organizations for delivery to second addressees will be obliged to state on the tags, labels or wrappers thereof the exact names and addresses of the persons for whom such parcels are intended. Nevertheless, the second addressee will be notified that such parcel is on hand, and the fee provided for by Article 5 may be collected; but he may not claim delivery without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for its delivery through the Administration of origin.

## ARTICULO 12

## ARTICLE 12

*Encomiendas abandonadas o devueltas**Abandoned or returned parcels*

1. Las encomiendas abandonadas o que devueltas no puedan ser entregadas a sus remitentes, quedarán a disposición de las Administraciones de destino u origen, según el caso, para que procedan con esos envíos conforme a su legislación interior, transcurrido un plazo de 90 días.

1. Abandoned parcels, or those returned to origin which can not be delivered to the senders, will remain at the disposal of the Administration of destination or origin, as the case may be, and be treated in accordance with their domestic legislation, after the expiration of a period of 90 days.

Abandoned or returned parcels.

2. Las Administraciones destinatarias podrán devolver desde luego las encomiendas que hubieren sido rehusadas.

2. The Administrations of destination may immediately return parcels which have been refused.

3. Las Administraciones podrán cobrar por cada encomienda que devuelvan al origen, en calidad de rezagada, las siguientes cantidades:

3. The Administrations may collect, for each parcel returned to origin as undeliverable, the following amounts:

- a) La que le corresponda como tasa terminal;
- b) Los derechos de tránsito marítimo a que se refiere el numeral 1 del artículo 4;
- c) Los derechos que adeuden las encomiendas en el país de destino por concepto de reexpediciones;
- d) El derecho a que se refiere la letra a) del artículo 5;
- e) El derecho de almacenaje de que trata la letra c) del artículo 5; y
- f) El derecho de reembalaje.

(a) The amount due them as the terminal charge;

(b) The sea-transit charges referred to in Section 1 of Article 4;

(c) The charges due on the parcels in the country of destination on account of forwarding;

(d) The fee mentioned in letter (a) of Article 5;

(e) The storage charges indicated in letter (c) of Article 5;

(f) The repacking fee.

## ARTICULO 13

## ARTICLE 13

*Proposiciones durante el intervalo de las reuniones**Propositions in the interval between meetings*

El presente Acuerdo podrá ser modificado en el intervalo que media entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal.

The present Agreement may be modified in the interval which transpires between Congresses, following the procedure established by the Convention of the Universal Postal Union in force.

Modifications between Congresses.

Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

In order to become effective, modifications must obtain:

a) unanimidad de sufragios, si se trata de introducir nuevas disposiciones de modificar el presente artículo y las de los artículos 1, 2, 3, 4, 5, 7, 8, y 9;

(a) Unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 3, 4, 5, 7, 8 and 9;

b) dos tercios de sufragios para modificar las demás disposiciones.

(b) Two-thirds of the votes, in order to modify the other provisions.

49 Stat. 2741.

## ARTICULO 14

*Equivalencias*

Equivalents.

Cada Administración contratante determinará la equivalencia legal de su moneda, con respecto al franco oro del Convenio Postal Universal.

## ARTICULO 15

*Asuntos no previstos*

Matters not provided for.

49 Stat. 2741.

1. Todos los asuntos no previstos por este Acuerdo, serán regidos por las disposiciones del Acuerdo vigente de Encomiendas de la Unión Postal Universal y su Reglamento de ejecución.

2. Sin embargo, las Administraciones contratantes podrán fijar otros detalles para la práctica del servicio, previo acuerdo.

3. Se reconoce el derecho de que gozan los países contratantes para mantener vigente el procedimiento reglamentario adoptado en orden al cumplimiento de Convenios que tengan entre sí, siempre que dicho procedimiento no se oponga a las disposiciones de este Acuerdo.

## ARTICULO 16

*Vigencia y duración del Acuerdo*

Effective date and duration of Agreement.

1. El presente Acuerdo comenzará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las partes contratantes el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

Ratifications.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible. Se levantará un Acta relativa al depósito de las ratificaciones de cada país y el Gobierno de Panamá remitirá por el vía diplomática una copia de dicha Acta a los Gobiernos de los demás países signatarios.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Acuerdo, las estipulaciones del Acuerdo de Encomiendas Postales, sancionado en Madrid el 10 de noviembre de 1931.

Parcel-Post Agreement abrogated.  
47 Stat. 1957.

## ARTICLE 14

*Equivalents*

Each Administration will determine the legal equivalent of its money with relation to the gold franc of the Universal Postal Convention.

## ARTICLE 15

*Matters not provided for*

1. All matters not provided for by this Agreement will be governed by the provisions of the Parcel-Post Agreement of the Universal Postal Union in force and its Regulations of Execution.

2. However, the contracting Administrations may fix other details for the carrying out of the service, after previous agreement.

3. The right of the contracting countries to retain in force the regulatory procedure adopted for the execution of Conventions among themselves is recognized, provided that such procedure is not contrary to the provisions of this Agreement.

## ARTICLE 16

*Effective date and duration of Agreement*

1. The present Agreement will become effective October 1, 1937, and will remain in force without time-limit, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Panama, Republic of Panama, as soon as possible. The relative certificate will be made up in regard to the ratification by each country, and the Government of Panama will send a copy of said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Parcel-Post Agreement sanctioned in Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Agreement becomes effective.

4. En caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieren hecho.

5. Los países contratantes podrán ratificar este Acuerdo, provisionalmente, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional; sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

En fe de lo cual, los Plenipotenciarios de los países enumerados, suscriben el presente Acuerdo en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de mil novecientos treinta y seis.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for the countries which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

In faith of which, the Plenipotentiaries of the countries enumerated sign the present Agreement in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

Validity.

Provisional ratification.

Signatures.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA  
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

*Por Canadá:*

PETER T. COOLICAN  
F. E. JOLLIFFE

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS  
MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.  
VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Estados U. de América:*

Por HARLEE BRANCH,  
JOHN E. LAMIELL

JOHN E. LAMIELL  
STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Haití:*

ANDRÉ FAUBERT

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO  
BROWNE

*Por Panamá:*

JOSÉ E. ARJONA  
JUAN B. CHEVALIER  
JUAN BRIN  
CARLOS ORTIZ R.  
TOMÁS H. JÁCOME  
MANUEL DE J. QUIJANO  
ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR  
ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENNA

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS  
CARLOS HARTMANN

Final protocol.

PROTOCOLO FINAL DEL ACUERDO RELATIVO A ENCOMIENDAS POSTALES

FINAL PROTOCOL OF THE AGREEMENT RELATIVE TO PARCEL POST

En el momento de firmar el Acuerdo relativo a Encomiendas Postales celebrado por el IV° Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

La Delegación venezolana declara que la Administración Postal de Venezuela no puede aceptar, por ahora, en su servicio, encomiendas con un peso mayor de 5 kilogramos.

Hecho en Panamá, a los 22 días de diciembre de 1936.

At the moment of signing the Agreement relative to Parcel Post concluded by the Fourth American-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

The Venezuelan Delegation declares that the Postal Administration of Venezuela can not accept, for the present, in its service, parcels with a weight greater than five kilograms.

Done at Panama on the 22d day of December, 1936.

Signatures.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA  
MENESES

JAYME DIAS FRANÇA  
JULIO SÁNCHEZ PÉREZ

*Por Canadá*

PETER T. COOLICAN  
F. E. JOLLIFFE

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS  
MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.  
VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Estados U. de América:*

Por HARLEE BRANCH,  
JOHN E. LAMIELL  
JOHN E. LAMIELL  
STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Haití:*

ANDRÉ FAUBERT

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO  
BROWNE

*Por Panamá:*

JOSÉ E. ARJONA  
JUAN B. CHEVALIER  
JUAN BRIN  
CARLOS ORTIZ R.  
TOMÁS H. JÁCOME  
MANUEL DE J. QUIJANO  
ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR  
ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENÁ

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS  
CARLOS HARTMANN

Having examined and considered the provisions of the foregoing Agreement Relative to Parcel Post and Final Protocol of the Agreement Relative to Parcel Post, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

Ratification by  
Postmaster General.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this twelfth day of August, 1937.

[SEAL]

JAMES A FARLEY  
*Postmaster General.*

I hereby approve the above-mentioned Agreement Relative to Parcel Post and Final Protocol of the Agreement Relative to Parcel Post, and in testimony thereof have caused the seal of the United States to be hereto affixed.

Approval by the  
President.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

WASHINGTON, August 20, 1937.

December 22, 1936

*Postal Union of the Americas and Spain, agreement and final protocol relative to money orders. Signed at Panamá, December 22, 1936; ratified by the Postmaster General, August 12, 1937; approved by the President, August 20, 1937.*

# ACUERDO RELATIVO A GIROS POSTALES

celebrado entre:

Contracting Powers. Argentina, Bolivia, Brasil, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Source of authority.  
49 Stat. 2746.

Los infrascritos, Plenipotenciarios de los Gobiernos de los países arriba mencionados, en ejercicio de la facultad conferida por el artículo 5 del Convenio vigente de la Unión Postal Universal, convienen a reserva de ratificación, en establecer el servicio de giros de acuerdo con las cláusulas siguientes:

## ARTICULO 1

### *Objeto del Acuerdo*

Object.

Exchange of money orders.

El cambio de giros postales entre los países contratantes cuyas Administraciones convengan en ejecutar este servicio, se regirá por las disposiciones del presente Acuerdo.

## ARTICULO 2

### *Moneda*

Money provisions.

El importe de los giros se expresará en la moneda del país de destino. Sin embargo, las Administraciones quedan facultadas para adoptar de común acuerdo otra moneda, cuando así convenga a sus intereses.

## ARTICULO 3

### *Condiciones para el cambio de los giros*

Conditions for exchange of money orders.

Lists.  
Post, p. 1720.

El cambio de giros postales entre los países contratantes se llevará a cabo por medio de listas conforme al modelo «A» anexo.

# AGREEMENT RELATIVE TO MONEY ORDERS<sup>1</sup>

concluded between

Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the authority conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, to establish the money order service in accordance with the following clauses:

## ARTICLE 1

### *Object of the agreement*

The exchange of money orders between the contracting countries whose Administrations agree to perform this service will be governed by the present Agreement.

## ARTICLE 2

### *Money*

The amount of the orders will be expressed in money of the country of destination. However, the Administrations are authorized to adopt, by mutual consent, some other money more convenient to their interests.

## ARTICLE 3

### *Conditions for exchange of money orders*

The exchange of money orders between the contracting countries will be effected by means of lists conforming to model "A" hereto appended.

<sup>1</sup> Translation by Post Office Department.



Cada Administración designará las oficinas de su país que hayan de encargarse de formular dichas listas y de enviarlas a aquellas otras Oficinas que para los mismos fines designen las demás Administraciones. Cuando una Administración señale más de una Oficina para la recepción de listas, deberá comunicar con todo detalle la distribución que haya de hacerse de los giros de las mencionadas listas.

## ARTICULO 4

*Límites máximos de emisión*

Las Administraciones de los países contratantes que convengan en establecer este servicio, se pondrán de acuerdo para fijar el límite máximo de los giros que cambien entre sí, sin que éste pueda ser inferior a 300 francos oro, según la moneda tipo del Convenio Postal Universal, o a la equivalencia de esta cantidad en la moneda respectiva.

Sin embargo, los giros relativos al servicio de Correos, emitidos con franquicia de porte en aplicación de las disposiciones del artículo 8 siguiente, podrán exceder del máximo fijado por cada Administración.

## ARTICULO 5

*Tasas y derechos de comisión*

1. El expedidor de todo giro emitido con arreglo al presente acuerdo deberá pagar una tasa de 30 céntimos de franco oro como máximo y un derecho proporcional que no podrá exceder de  $\frac{1}{2}\%$  del valor del giro.

2. La Administración de origen abonará a la de destino  $\frac{1}{4}\%$  de la suma total de los giros pagados por esta última.

## ARTICULO 6

*Endosos*

Los países contratantes quedan autorizados para permitir en su territorio y de acuerdo con su legislación interior, el endoso de los giros originarios de cualquier país.

Each Administration will designate the offices in its country which will be charged with preparing the said lists and transmitting them to such other offices as may be designated for the same purpose by the other Administrations. When an Administration designates more than one office for the receipt of lists, it must communicate, with full details, the distribution to be made of the orders in the said lists.

## ARTICLE 4

*Maximum amount of money orders*

The Administrations of the contracting countries which agree to establish this service will come to an agreement to fix the maximum amount of money orders exchanged among them; but this amount may not be lower than 300 gold francs, in accordance with the monetary standard of the Universal Postal Convention, or the equivalent of that amount in the respective money.

However, orders relating to the postal service, issued free of charge in accordance with the provisions of Article 8 following, may exceed the maximum fixed by any Administration.

## ARTICLE 5

*Rates and commission fees*

1. The remitter of every order issued in accordance with the present Agreement shall pay a charge of 30 centimes of a gold franc at most, and a proportional fee which may not exceed  $\frac{1}{2}\%$  of the amount of the order.

2. The Administration of origin will credit that of destination with  $\frac{1}{4}\%$  of the total amount of the orders paid by the latter.

## ARTICLE 6

*Indorsements*

The contracting countries are authorized to permit, within their territories, and in accordance with their domestic legislation, the indorsement of orders originating in any country.

Maximum amount.

Rates and commission fees.

Credit to Administration of destination.

Indorsements.

## ARTICULO 7

## ARTICLE 7

*Responsabilidad**Responsibility*

Responsibility.

Las Administraciones serán responsables ante los remitentes, de las cantidades que éstos depositen para ser invertidas en giros postales, hasta el momento en que sean pagados a los destinatarios o endosatarios.

The Administrations will be responsible to the remitters for the amounts which the latter deposit to be converted into money orders until they have been paid to the payees or indorsees.

## ARTICULO 8

## ARTICLE 8

*Franquicia de derechos**Exemption from charges*

Exemption from charges.

Estarán exentos de todo derecho, los giros relativos al servicio cambiados entre las Administraciones o entre las Oficinas de Correos dependientes de cada Administración; así como también los giros que remitan a la Oficina Internacional de Montevideo y viceversa.

Orders relating to the service exchanged between Administrations or between post offices belonging to any Administration will be exempt from all charges, as well as orders sent to the International Office of Montevideo and vice versa.

## ARTICULO 9

## ARTICLE 9

*Plazo de validez de los giros**Period of validity of orders*

Period of validity.

Salvo acuerdo en contrario, todo giro postal será pagadero en el país de destino, dentro del plazo de los doce meses siguientes al de su emisión.

In the absence of agreement to the contrary, every money order will be payable in the country of destination for a period of twelve months following that of its issuance.

El importe de todos los giros que no hayan sido pagados durante ese período, será acreditado en la primera cuenta que se rinda a la Administración del país de origen, la cual procederá con arreglo a sus Reglamentos.

The amount of all orders which have not been paid within that period will be credited in the first account rendered to the Administration of the country of origin, which will proceed in accordance with its regulations.

## ARTICULO 10

## ARTICLE 10

*Cambio de dirección y reintegro de giros**Change of address and repayment of orders*

Change of address.

1. Cuando el remitente desee corregir un error en la dirección del destinatario o que el monto del giro le sea devuelto, deberá solicitarlo de la Administración Central del país en que el giro haya sido emitido.

1. When the remitter desires to correct an error in the address of the payee, or that the amount of the order be returned, he must make application to the Central Administration of the country in which the order has been issued.

Repayment.

2. Por lo general, un giro postal no será reintegrado sin autorización de la Administración Central del país pagador.

2. In general, no money order will be repaid without the authorization of the Central Administration of the paying country.

## ARTICULO 11

*Aviso de pago*

El remitente de un giro podrá obtener un aviso de pago, mediante un derecho equivalente al percibido por la Administración de origen, en concepto de aviso de recibo de la correspondencia certificada. Este derecho pertenecerá a la Administración de origen.

La Administración de destino extenderá el aviso de pago en un impreso, conforme al modelo «F» y lo remitirá al propio interesado, directamente, o a la Administración emisora, para su entrega a aquél.

## ARTICLE 11

*Advice of payment*

The remitter of an order may obtain an advice of payment for a fee equivalent to that collected by the Administration of origin for a return receipt for registered correspondence. This fee will be retained by the Administration of origin.

Advice of payment.

The Administration of destination will issue the advice of payment on a printed form agreeing with model "F", and will transmit it directly to the interested party, or to the issuing Administration for delivery to the former.

Post, p. 1729.

## ARTICULO 12

*Reexpedición*

A petición del remitente o del destinatario de los giros, éstos podrán ser reexpedidos a otro país distinto a aquél al cual estuvieren destinados primitivamente, siempre que exista cambio de giros con el nuevo país de destino.

La Administración reexpedidora tendrá derecho a deducir del importe del giro, las cuotas que le correspondan por concepto de los nuevos giros emitidos por ella, conforme a lo establecido en el Artículo 5 anterior.

En caso de reexpedición, el giro se considerará como si hubiese sido pagado por la Administración reexpedidora, la cual lo incluirá en la cuenta por tal concepto, añadiendo la palabra «Reexpedición».

## ARTICLE 12

*Reissuance*

At the request of the remitter or payee of an order, the latter may be reissued to a country other than the one for which it was originally destined, whenever an exchange of money orders exists with the new country of destination.

The reissuing Administration will have the right to deduct from the amount of the order the fees due for the new orders issued by it, in accordance with the provisions of Article 5 preceding.

Reissuance.

Deduction of fees.

Ante, p. 1709.

In case of reissuance, the order will be considered as if it had been paid by the reissuing Administration, which will include it in the account for that purpose, adding the word "Reissued".

## ARTICULO 13

*Legislación interior*

Los giros postales que se cambien entre dos países estarán sujetos, con respecto a su emisión y pago, a las disposiciones vigentes en el país de origen o en el país de destino, según el caso, en lo concerniente a la emisión y pago de los giros postales interiores.

## ARTICLE 13

*Domestic legislation*

Money orders exchanged between two countries will be subject, with respect to their issuance and payment, to the provisions in force in the country of origin or in the country of destination, as the case may be, concerning the issuance and payment of domestic money orders.

Domestic legislation.

## ARTICULO 14

*Formación de las listas*

Preparation of lists.

Post, p. 1720.

"International number."

1. Cada Oficina de Cambio comunicará a la Oficina de Cambio corresponsal, diariamente o en las fechas que de mutuo acuerdo se señalen, las cantidades recibidas en su país para ser pagadas en el otro, haciéndose uso para ello del modelo «A», anexo.

2. Todo giro postal anotado en las listas llevará un número progresivo que se denominará «número internacional», comenzando el 1.º de enero o el 1.º de julio de cada año, según convenga, con el número 1. Las listas llevarán asimismo, un número de orden, comenzando por el número 1, el 1.º de enero o el 1.º de julio de cada año.

3. Las Oficinas de Cambio se acusarán recibo de cada lista por medio de la primera lista siguiente enviada en la dirección opuesta.

4. Cualquier lista que faltare, será reclamada inmediatamente por la Oficina de Cambio que comprobare la falta. La Oficina de Cambio remitente, en tal caso, enviará lo antes posible a la Oficina de Cambio reclamante, un duplicado de la lista pedida, debidamente formalizado.

## ARTICULO 15

*Comprobación y rectificación de las listas*

Checking and correction of lists.

Las listas serán revisadas cuidadosamente por la Oficina de Cambio destinataria y corregidas cuando contengan simples errores.

Estas correcciones serán informadas a la Oficina de Cambio remitente, al acusar recibo de la lista en que se hubieren hecho.

Cuando las listas contengan otras irregularidades, la Oficina de Cambio destinataria pedirá explicaciones a la Oficina de Cambio remitente, la cual deberá informar en el plazo más breve posible. Entre tanto, se suspenderá la emisión de los giros postales interiores correspondientes a las mencionadas anotaciones irregulares.

## ARTICLE 14

*Preparation of lists*

1. Each exchange office will advise the corresponding exchange office, daily or on the dates mutually agreed upon, of the amounts received in its country for payment in the other, making use for the purpose of model "A" hereto appended.

2. Every money order noted in the lists will bear a consecutive number known as "international number", commencing on January 1 or July 1 of each year, as may be agreed, with the number 1. The lists will likewise bear a serial number, commencing with the number 1 on January 1 or July 1 of each year.

3. The exchange offices will acknowledge receipt of each list by means of the first subsequent list sent in the other direction.

4. Any list which is missing will be called for immediately by the exchange office which discovers its absence. The dispatching exchange office, in that case, will send the complaining exchange office a duplicate of the missing list, duly authenticated, as soon as possible.

## ARTICLE 15

*Checking and correction of lists*

The lists will be verified carefully by the exchange office of destination and corrected when they contain simple errors.

These corrections will be reported to the dispatching exchange office, at the time of acknowledging receipt of the list in which they have been made.

When the lists contain other irregularities, the exchange office of destination will ask for explanations by the dispatching exchange office, which shall reply as soon as possible. Meanwhile, the issuance of the internal money orders corresponding to the aforesaid irregular notations will be suspended.

## ARTICULO 16

## ARTICLE 16

*Pago de los giros**Payment of orders*

1. Al recibirse en una Oficina de Cambio una lista de giros con arreglo a lo dispuesto en el artículo anterior, dicha Oficina procederá a efectuar u ordenar el pago a los destinatarios, en la moneda del país de destino, de las cantidades que en dicha moneda o en otra convenida, figuren en la lista, de conformidad con los reglamentos vigentes en cada país para el pago de los giros internacionales.

1. On receipt at an exchange office of a list of orders in accordance with the provisions of the foregoing Article, the said office will proceed to effect or order the payment to the payees, in money of the country of destination, of the amounts shown in the list, in that money or any other agreed upon, in accordance with the regulations in force in each country for the payment of international money orders.

Payment of orders.

2. Los duplicados de giros postales se expedirán solamente por las Administraciones de Correos del país emisor de conformidad con su legislación interna y previa comprobación de que el giro no ha sido ni pagado al destinatario, ni devuelto al origen.

2. Duplicates of money orders will be issued by the Administration of Posts of the reissuing country only in accordance with its domestic regulations, and after previous proof that the order has not been either paid to the payee or returned to origin.

Duplicates.

## ARTICULO 17

## ARTICLE 17

*Rendición y liquidación de cuentas**Rendering and settlement of accounts*

1. Salvo acuerdo en contrario, al final de cada trimestre la Administración acreedora formará la cuenta respectiva para la Administración corresponsal, en que conste detalladamente:

1. In the absence of agreement to the contrary, at the end of each quarter, the creditor Administration will make up the relative account for the corresponding Administration, showing in detail:

Rendering and settlement of accounts.

a) Los totales de las listas que contengan los pormenores de los giros emitidos en ambos países durante el trimestre;

(a) The totals of the lists containing the particulars of the orders issued in both countries during the quarter;

b) Los totales de los giros que hubieren sido reintegrados a los remitentes; y

(b) The totals of the orders which have been repaid to the remitters; and

c) Los totales de los giros que hubieren caducado durante el trimestre.

(c) The totals of the orders which have become invalid during the quarter.

El haber de cada Administración se expresará en su moneda.

The credit balance of each Administration will be expressed in its own money.

El importe menor será convertido a la moneda del país acreedor, con arreglo al cambio medio del trimestre a que se refiera la cuenta.

The smaller amount will be converted into money of the creditor country at the average rate of exchange prevailing during the quarter covered by the account.

Esta cuenta, extendida en doble ejemplar, se enviará por la Administración que la haya formulado, a la Administración correspondiente.

This account, rendered in duplicate, will be sent by the Administration which has made it up to the corresponding Administration.

Si el saldo resultare a favor de esta Administración, se pagará uniendo a la cuenta una letra a la vista sobre el país acreedor.

Si el saldo resultare a favor de la Administración que haya formulado la cuenta, el pago se llevará a cabo por la Administración deudora en la forma indicada en el párrafo anterior, al devolverse aceptada la cuenta.

Para la formación de esta cuenta trimestral se utilizarán los modelos «B», «C», «D» y «E» anexos al presente Acuerdo.

*Post*, pp. 1724-1727.

Conversions.

2. También podrán entenderse las Administraciones para no efectuar conversiones, sino para realizar la liquidación unilateralmente; ésto es, para abonar cada Administración a la otra, el importe total de los giros pagados por su cuenta. En este caso, cada Administración habrá de formular una cuenta trimestral.

If the balance results in favor of the latter Administration, it will be paid by attaching to the account a sight draft on the creditor country.

If the balance results in favor of the Administration which has rendered the account, payment will be made by the debtor Administration in the manner indicated in the preceding paragraph, when the account is returned accepted.

For the preparation of such quarterly account, use will be made of models "B", "C", "D", and "E" appended to the present Agreement.

2. The Administrations may also come to an agreement not to effect conversions, but to make settlements unilaterally; that is to say, for each Administration to credit the other with the total amount of the orders paid on its account. In this case, each Administration shall render a quarterly account.

#### ARTICULO 18

##### *Supresión de cuentas por intercambio de giros*

Discontinuation of money-order accounts.

*Post*, p. 1720.

*Ante*, p. 1709.

*Post*, pp. 1725, 1726.

Las Administraciones podrán, previo mutuo acuerdo, suprimir la formación de cuentas a que se refiere el artículo anterior. En este caso, deberán comprometerse a enviar conjuntamente con cada lista de giros postales modelo «A», un cheque por el importe total de los mismos, más el premio que señala el inciso 2 del artículo 5; aplicándose igual procedimiento cuando esté indicado el uso de los modelos «C» y «D».

Los cheques, salvo arreglo en contrario, serán expedidos en la moneda del país acreedor y, en estas condiciones, se hará la conversión por el cambio libre.

#### ARTICULO 19

##### *Anticipos a buena cuenta*

Advance payments on account.

Cuando resultare que una de dos Administraciones corresponsales deba a la otra, por cuenta de giros

#### ARTICLE 18

##### *Discontinuation of money-order accounts*

Administrations may, by mutual agreement, discontinue the rendering of accounts referred to in the preceding Article. In this case, they shall undertake to transmit, together with each list of money orders, model "A", a check for the total amount thereof, plus the premium indicated in Section 2 of Article 5; the same procedure being followed when the use of models "C" and "D" is necessary.

The checks, in the absence of agreement to the contrary, will be issued in money of the creditor country, and conversion will accordingly be made on the basis of the open exchange.

#### ARTICLE 19

##### *Advance payments on account*

When it results that one of the corresponding Administrations owes the other, on money order

postales, un saldo que exceda de 25,000 francos oro, o la equivalencia aproximada de esta cantidad, en su propia moneda, la Administración deudora debe enviar a la mayor brevedad posible, a la otra y como anticipo a buena cuenta, una cantidad aproximada al saldo de las cuentas de la liquidación trimestral a que se refiere el artículo 17.

accounts, a balance in excess of 25,000 gold francs, or the approximate equivalent of that amount in its own money, the debtor Administration shall send the other Administration as soon as possible, as an advance payment on account, an amount approximating the balance of the accounts for the quarterly settlement referred to by Article 17.

*Ante*, p. 1713.

## ARTICULO 20

### *Suspensión del servicio*

Las Administraciones de los países contratantes podrán, en circunstancias extraordinarias, suspender temporalmente la emisión de giros postales y adoptar todas aquellas disposiciones que estimen convenientes, para salvaguardar los intereses de las Administraciones y para evitar cualquier agio que por los particulares o comerciantes pudiere intentarse cometer por medio del servicio de giros.

La Administración que adopte alguna de las medidas aludidas en el párrafo anterior, deberá comunicarlo con toda urgencia a las Administraciones con quienes cambie giros postales.

## ARTICLE 20

### *Suspension of service*

The Administrations of the contracting countries may, under extraordinary circumstances, temporarily suspend the issuance of money orders and adopt such provisions as they deem necessary to safeguard the interests of the Administrations and avoid any speculation through the money order service by individuals or commercial institutions.

Temporary suspension of service.

An Administration adopting any of the measures referred to in the preceding paragraph shall immediately give notice of the fact to the Administrations with which it exchanges money orders.

Notice to be given.

## ARTICULO 21

### *Giros telegráficos*

Las disposiciones de este Acuerdo se harán extensivas al servicio de giros telegráficos, entre aquellos países que convengan en efectuarlo; y para el efecto, previo arreglo entre sí, fijarán las condiciones reglamentarias del propio servicio.

## ARTICLE 21

### *Telegraphic orders*

The provisions of this Agreement will be extended to the service of telegraphic orders among those countries which agree to perform it; and, to that end, after previous agreement among themselves, they will fix the conditions regulating the said service.

Telegraphic orders.

## ARTICULO 22

### *Proposiciones durante el intervalo de las reuniones*

El presente Acuerdo podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la

## ARTICLE 22

### *Propositions in the interval between meetings*

The present Agreement may be modified in the interval between Congresses in the manner prescribed by the Universal Postal Convention in force. In order for

Modifications between Congresses.

49 Stat. 2741.

Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

a) unanimidad de sufragios si se trata de introducir nuevas disposiciones o de modificar el presente artículo y las de los artículos 1, 2, 4, 7, 8, 13, 17, 18, 19, 20 y 23.

b) dos tercios de sufragios para modificar las demás disposiciones.

the modifications to become effective, they must obtain:

(a) Unanimity of votes if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 4, 7, 8, 13, 17, 18, 19, 20 and 23.

(b) Two-thirds of the votes to modify the other provisions.

#### ARTICULO 23

##### *Vigencia y duración del Acuerdo*

#### ARTICLE 23

##### *Effective date and duration of Agreement*

Effective date and duration of Agreement.

1. El presente Acuerdo empezará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Altas Partes contratantes, el derecho de denunciarlo mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

Ratifications.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible. Se levantará un Acta relativa al depósito de las ratificaciones de cada país, y el Gobierno de Panamá remitirá por la vía diplomática una copia de dicha Acta a los Gobiernos de los demás países signatarios.

Former agreement abrogated.

3. Quedan derogadas a partir de la fecha en que entre en vigor el presente Acuerdo las estipulaciones del Acuerdo de giros postales sancionado en Madrid el día 10 de noviembre de 1931.

Validity.

4. En el caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieren hecho.

Provisional ratification.

5. Los países contratantes podrán ratificar provisionalmente este Acuerdo, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

1. The present Agreement will become effective October 1, 1937, and will remain in force without limitation of time, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

2. The ratifications will be deposited in the city of Panama, Republic of Panama, as soon as possible. A certificate will be made up relative to the deposit of the ratifications of each country, and the Government of Panama will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Monney Order Agreement adopted at Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Agreement becomes effective.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.



En fe de lo resuelto, los Plenipotenciarios de los países arriba enumerados suscriben el presente Acuerdo en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de mil novecientos treinta y seis.

In faith of which, the Plenipotentiaries of the countries above enumerated sign the present Agreement in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

Signatures.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA

MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS

MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

*Por Estados U. de América:*

Por HARLLEE BRANCH,

JOHN E. LAMIELL

JOHN E. LAMIELL

STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO

BROWNE

*Por Panamá:*

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENÁ

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

Final protocol.

PROTOCOLO FINAL DEL ACUERDO RELATIVO A GIROS POSTALES

En el momento de firmar el Acuerdo relativo a Giros Postales celebrado por el IVº Congreso Postal Américoespañol, los Plenipotenciarios que suscriben, han convenido lo siguiente:

I

Los Estados Unidos de América hace constar que no puede aceptar las disposiciones de los artículos 5, párrafo 1; 8 y 11.

II

El Brasil hace constar que sólo podrá ejecutar el servicio de Giros Postales mediante las condiciones que establece el artículo 18 del Acuerdo.

Hecho en Panamá, a los 22 días de diciembre de 1936.

*Por Argentina:*

LUIS S. LUTI

*Por Bolivia:*

JORGE E. BOYD

*Por Brasil:*

LEONIDAS DE SIQUEIRA  
MENESES

JAYME DIAS FRANÇA  
JULIO SÁNCHEZ PÉREZ

*Por Colombia:*

ALFONSO PALACIO RUDAS

*Por Costa Rica:*

ENRIQUE FONSECA ZÚÑIGA

*Por Cuba:*

CARLOS A. VASSEUR

*Por Chile:*

SILVERIO BRAÑAS  
MIGUEL A. PARRA

*Por Dominicana:*

MANUEL DE J. QUIJANO

*Por Ecuador:*

VICTORIANO ENDARA A.  
VÍCTOR M. NARANJO

*Por El Salvador:*

JOSÉ E. ARJONA

*Por España:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

At the moment of signing the Agreement relative to Money Orders concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

The United States of America records the fact that it can not accept the provisions of Article 5, Section 1; 8, and 11.

II

Brazil records the fact that it can execute the Money Order service only under the conditions laid down by Article 18 of the Agreement.

Done at Panama on the 22d day of December, 1936.

*Por Estados U. de América:*

POR HARLEE BRANCH,  
JOHN E. LAMIELL  
JOHN E. LAMIELL  
STEWART M. WEBER

*Por Guatemala:*

TOMÁS ARIAS

*Por Honduras:*

ALBERTO ZÚÑIGA

*Por México:*

JOSÉ V. CHÁVEZ  
JOSÉ ROBERTO MONTERO

*Por Nicaragua:*

ADOLFO ALTAMIRANO  
BROWNE

*Por Panamá:*

JOSÉ E. ARJONA  
JUAN B. CHEVALIER  
JUAN BRIN  
CARLOS ORTIZ R.  
TOMÁS H. JÁCOME  
MANUEL DE J. QUIJANO  
ANGELO FERRARI

*Por Paraguay:*

LUIS S. LUTI

*Por Perú:*

AUGUSTO S. SALAZAR  
ERNESTO CÁCERES B.

*Por Uruguay:*

HUGO V. DE PENNA

*Por Venezuela:*

FRANCISCO VÉLEZ SALAS  
CARLOS HARTMANN

Signatures.

Having examined and considered the provisions of the foregoing Agreement Relative to Money Orders and Final Protocol of the Agreement Relative to Money Orders, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

Ratification by  
Postmaster General.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 12<sup>th</sup> day of August, 1937.

[SEAL]

JAMES A FARLEY  
*Postmaster General.*

I hereby approve the above-mentioned Agreement Relative to Money Orders and Final Protocol of the Agreement Relative to Money Orders, and in testimony thereof have caused the seal of the United States to be hereto affixed.

Approval by the  
President.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

WASHINGTON, August 20, 1937.

## ACUERDO RELATIVO A GIROS POSTALES

## A N E X O S

## A

Lista num. \_\_\_\_\_

Administración de Correos de \_\_\_\_\_

Acuso a V. recibo de las listas señaladas a continuación, las cuales han sido halladas conformes, salvo las modificaciones que se indican.

Número de las listas	Fecha de las listas	Números internacionales de los giros que comprenden las listas	IMPORTE DE LAS LISTAS	

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Ruego a V. que, a su vez, se sirva acusarme recibo de la presente lista

de

de 19

El

Señor Jefe de la Oficina de Cambio de Giros Postales,



DIRECCION COMPLETA DEL DESTINATARIO	IMPORTE EN MONEDA.....	TIPO DE CAMBIO	IMPORTE en .....	PARA USO DE LA OFICINA EN .....		
				Número del giro interior	Oficina pagadora	OBSERVACIONES

de

de 19

Examinadas, las listas cuyo recibo se avisa,  
se han hallado las siguientes irregularidades:

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A la

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Mes de \_\_\_\_\_ de 19\_\_\_\_

Cuenta detallada de los giros emitidos en \_\_\_\_\_ y pagaderos  
en \_\_\_\_\_ durante el citado mes.

de \_\_\_\_\_ de 19\_\_\_\_





D

Lista de los giros emitidos en \_\_\_\_\_ sobre \_\_\_\_\_ durante el mes de \_\_\_\_\_ de 19\_\_\_\_, que no han sido pagados en doce meses a contar del de la emisión y por lo tanto han sido anulados.

[illegible]

El

de \_\_\_\_\_ de 19 \_\_\_\_\_



DE \_\_\_\_\_

\_\_\_\_\_ durante el \_\_\_\_\_ trimestre del año 19\_\_\_\_

## HABER DE

Importe de los giros destinados al otro país que han sido emitidos en _____ durante el trimestre	{				
A deducir:					
Importe de los giros emitidos _____	{				
en _____ que han sido					
devueltos por el otro país du-					
rante el trimestre _____					
Importe de los giros emitidos _____	{				
en _____ que han sido					
anulados por el otro país du-					
rante el trimestre _____					
Haber de _____					
Saldo anterior _____					
A deducir					
Saldo a favor de _____					

VISTO Y ACEPTADO EN

el \_\_\_\_\_ de \_\_\_\_\_ de 19\_\_\_\_

F

(ANVERSO)

<p><b>ADMINISTRACION DE CORREOS</b></p> <p>DE _____ (1)</p> <p>GIRO POSTAL de _____</p> <p>_____</p> <p>registrado en la Oficina de Correos de _____</p> <p>_____</p> <p>el _____ con el número _____</p> <p>expedido por el Sr. _____</p> <p>_____</p> <p>y dirigido al Sr. _____</p> <p>_____</p> <p>a _____</p> <p>_____</p> <p>(1) El anverso lo llenará la Administración de origen</p>	<p><b>ACUSE DE RECIBO</b></p> <p>_____</p> <p><b>AVISO DE PAGO</b></p> <p style="text-align: right; font-size: small;">Sello de la Oficina remitente del aviso</p> <p>(1) A _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p style="text-align: center;">(Lugar de destino)</p> <p><b>SERVICIO DE CORREOS</b></p> <p style="text-align: center;">(País de destino)</p> <p>_____</p> <p>(1) Lo llenará el remitente</p>
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(REVERSO)

<p><b>EL INFRASCRITO DECLARA QUE EL GIRO MENCIONADO EN OTRO LUGAR HA SIDO DEBIDAMENTE PAGADO EL _____ 19 ____</b></p>	
<p style="font-size: small;">Sello de la Oficina destinataria</p> <div style="border: 1px solid black; width: 100px; height: 100px; margin: 10px auto;"></div>	<p style="text-align: center;"><b>FIRMA (1)</b></p> <p>del destinatario,                      del agente de la Oficina destinataria</p> <p>_____</p>
<p>(1) Este aviso debe ser firmado por el destinatario o, si los reglamentos del país de destino lo consienten, por el agente de la Oficina destinataria, y devuelto por el primer correo, directamente al remitente.</p>	

# PROCLAMATIONS

# PROCLAMATIONS

## INCREASING RATE OF DUTY ON SLIDE FASTENERS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 1, 1936

[No. 2181]

### A PROCLAMATION

WHEREAS pursuant to section 336 of Title III, Part II, of the Tariff Act of 1930 (46 Stat. 590, 701), the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, slide fasteners and parts thereof, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country; and

Tariff on slide fasteners, etc.  
Statutory authorization.  
46 Stat. 701.  
19 U. S. C. § 1336.

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard; and

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production; and

WHEREAS the Commission has found it shown by the said investigation that the principal competing country is Japan, and that the duty expressly fixed by statute does not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the increase in the rate of duty expressly fixed by statute found by the Commission to be shown by the said investigation to be necessary to equalize such difference; and

WHEREAS in the judgment of the President such rate of duty is shown by the said investigation of the Tariff Commission to be necessary to equalize such difference in costs of production:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 336 (c), Title III, Part II of the said Act do hereby approve and proclaim an increase in the rate of duty expressly fixed in Paragraph 397 of Title I of the said Act on slide fasteners and parts thereof, wholly or in chief value of copper, brass, nickel, zinc, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, and not specially provided for, from 45 per centum ad valorem to 66 per centum ad valorem, the rate found to be shown by the said investigation to be necessary to equalize such difference in costs of production.

Increasing duty to equalize differences in costs of production.  
46 Stat. 701.

46 Stat. 629.  
19 U. S. C. § 1001.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this first day of July, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America, the one hundred and sixtieth.

By the President:

FRANKLIN D. ROOSEVELT

WILLIAM PHILLIPS

*Acting Secretary of State.*

## PERRY'S VICTORY AND INTERNATIONAL PEACE MEMORIAL NATIONAL MONUMENT—OHIO

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 6, 1936

[No. 2182]

### A PROCLAMATION

Perry's Victory and International Peace Memorial National Monument, Ohio. Statutory authorization. 49 Stat. 1393.

WHEREAS Public No. 631, 74th Congress, approved June 2, 1936, authorizes the President of the United States to establish by proclamation the hereinafter-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio:

Establishment.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power in me vested by the said Act of June 2, 1936, do proclaim and establish the Perry's Victory and International Peace Memorial National Monument consisting of the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio:

Description.

Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the Village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.



Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this Monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the Monument as provided in the said Act of June 2, 1936.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 6<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

By the President: FRANKLIN D ROOSEVELT  
CORDELL HULL  
*Secretary of State.*

Reservation from settlement, etc.

Supervision.

49 Stat. 1394.

# CHEROKEE NATIONAL FOREST—TENNESSEE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS certain forest lands in the State of Tennessee have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Cherokee National Forest of the said lands together with certain other lands heretofore forming parts of the Pisgah National Forest and the Unaka National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Cherokee National Forest, all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Cherokee National Forest:

July 8, 1936  
[No. 2183]

Cherokee National Forest, Tenn.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
30 Stat. 36.  
16 U. S. C. § 473.  
36 Stat. 963.  
16 U. S. C. § 521.

## CHEROKEE DIVISION

Beginning at the point where the Louisville and Nashville Railroad crosses the Georgia-Tennessee State Line at or near Tenna, Georgia; thence northerly with the Louisville and Nashville Railroad approximately 4 miles to the point where said railroad is crossed by the public road running north and south along the west foot of the mountain; thence northerly with said public road to its junction with U. S. Highway No. 64; thence easterly with the meanders of U. S. Highway No. 64 to a point on the left bank of the Ocoee River; thence southeasterly with

Cherokee Division.

the left bank of the Ocoee River to the south end of the Parksville Dam; thence northerly with the crest of the Parksville Dam to its north end, a point beside U. S. Highway No. 64; thence northwesterly with the meanders of Highway No. 64 approximately  $\frac{1}{2}$  mile to its junction with the public road running north and south along the west foot of the mountain; thence northerly with the said public road to the point where it first comes to the left bank of the Hiwassee River, opposite the upper end of an island in the river; thence northeasterly approximately 15 chains, crossing the river to a point in the road on the right bank of the river; thence northwesterly with the meanders of the said road to its junction with U. S. Highway No. 411; thence northeasterly with Highway No. 411 approximately  $\frac{1}{4}$  mile to a junction with an old road; thence northeasterly with said old road approximately 18 chains to a point beside the Blue Ridge Branch of the Louisville and Nashville railroad; thence northerly with the Louisville and Nashville Railroad to the point where it crosses Conasauga Creek; thence northeasterly with Conasauga Creek to the point where it is first crossed by the Etowah-Tellico Plains Road; thence easterly with the meanders of the Etowah-Tellico Plains Road approximately 5 miles to a point where said road again crosses Conasauga Creek; thence southerly and southeasterly with the meanders of Conasauga Creek to a road junction beside the creek and near the mouth of Steer Creek; thence northeasterly with the meanders of Steer Creek Road to its junction with Tennessee State Highway No. 68; thence northerly with the meanders of State Highway No. 68 to a point at intersection with the corporate limit of Tellico Plains; thence southeasterly, thence northeasterly, thence northerly with said town limits to a bridge across the Tellico River; thence Northerly with the meanders of the Ballplay Road to a point about  $\frac{1}{2}$  mile west of Center School, where said road crosses a small stream and makes sharp turn to right; thence northerly with the meanders of said small stream to its junction with Tellico River; thence northerly and north-easterly with the meanders of Tellico River to the first public road crossing below the mouth of Ballplay Creek; thence easterly with the meanders of said public road approximately 35 chains to a road fork; thence northeasterly with the meanders of a secondary road, taking the right fork at approximately  $2\frac{1}{2}$  miles, approximately  $3\frac{1}{2}$  miles in all to a point on the left bank of the Little Tennessee River; thence easterly up and with the meanders of the left bank of the Little Tennessee River to intersection with the North Carolina-Tennessee State Line; thence in a general southwesterly direction with the meanders of the North Carolina-Tennessee State Line to intersection with U. S. Highway No. 64; thence westerly with the meanders of U. S. Highway No. 64, to a road fork approximately 33 chains east of Stewardtown; thence northerly with the meanders of a secondary road to its junction with the road leading up Potato Creek to Bonnertown; thence easterly with the meanders of last-named road, passing Bonner-town, approximately  $1\frac{1}{4}$  miles to a junction of four secondary roads; thence northerly with the meanders of the left-hand road, approximately  $\frac{1}{2}$  mile to a road fork; thence westerly with the meanders of left-hand road approximately  $1\frac{1}{2}$  miles to a road fork; thence northerly with the meanders of the right-hand road, crossing the divide between Potato Creek and Brush Creek, to intersection with Brush Creek; thence westerly with the meanders of Brush Creek to the point where said creek is crossed by the Louisville and Nashville Railroad; thence southerly with the

meanders of the Louisville and Nashville Railroad to a point opposite Patterson's Ferry; thence southwesterly with the meanders of a secondary road to its junction with the Grassy Creek Road; thence southerly with meanders of the Grassy Creek Road to its intersection with the Georgia-Tennessee State Line; thence westerly with the Georgia-Tennessee State Line to the place of beginning.

#### UNAKA DIVISION

Unaka Division.

Beginning at a point on the North Carolina-Tennessee State Line, and on the boundary of the Great Smoky Mountains National Park, about  $1\frac{1}{4}$  miles northwest of Mt. Sterling postoffice, where the road leading from Mt. Sterling into Tennessee crosses the state line; thence northwesterly with the meanders of the road which forms the boundary of the Great Smoky Mountains National Park to a road fork about  $\frac{1}{2}$  mile after crossing Cosby Creek, where Park boundary bears off southwest; thence northwesterly and northerly with the meanders of the main road leading down Cosby Creek, to a road fork near the mouth of a large stream flowing north from Denny Mountain into Cosby Creek; thence easterly with the meanders of the public road along the north foot of Denny Mountain to a road fork on the bank of Pigeon River; thence northerly with the meanders of a road which crosses the river and runs down its east side to Edwina; thence northeasterly with the meanders of a public road to its junction with U. S. Highway No. 25 about  $\frac{3}{4}$  mile west of Bridgeport; thence easterly with the meanders of Highway No. 25, crossing French Broad River at Bridgeport, to junction with a public road which leads around the north foot of Neddy Mountain; thence northeasterly and southeasterly with said road to its junction with public road leading up Long Creek; thence northeasterly with the public road which follows most closely the northwest foot of Meadow Creek Mountain to Cedar Creek Post Office; thence easterly, northeasterly, and northerly with the said road which follows most closely the northwest foot of the mountains to Whig Post Office; thence northeasterly with the meanders of a public road crossing Dry Fork to junction of said road with the road leading up Dry Fork; thence southeasterly with the meanders of the road leading up Dry Fork approximately  $1\frac{1}{2}$  miles to a road fork; thence northeasterly with the meanders of a public road, crossing Water Fork and the divide between Water Fork and Middle Creek to the first road fork beyond said divide; thence northwesterly with the meanders of the left-hand road approximately  $\frac{3}{4}$  mile to a road fork; thence northerly with the meanders of the right-hand road to the point where it crosses Middle Creek, near the mouth of the left-hand fork of said creek; thence easterly with the meanders of Middle Creek and the left fork of Middle Creek approximately one mile to where a road crosses; thence easterly with the meanders of the most direct road to Painter Post Office; thence easterly with the meanders of a public road crossing Cassie Creek to junction with road leading down Painter Creek; thence northerly with the meanders of the road leading down Painter Creek to its junction with Tennessee State Highway No. 107; thence northeasterly and southeasterly with the meanders of Tennessee State Highway No. 107 to the point where this highway first runs beside the railroad leading to Embreeville; thence northerly with the meanders of said railroad to Garber, Tennessee; thence northeasterly with the meanders of the public road leading up Little

Cherokee Creek, crossing the head of Buck Creek and running down Sinking Creek to a point approximately 1 mile due south of the center of Johnson City, where a road turns off southeast; thence southeasterly with the meanders of the last-named road to its junction with U. S. Highway No. 23; thence southerly with the meanders of Highway No. 23, approximately  $2\frac{1}{2}$  miles to a road fork; thence northeasterly with the meanders of the road which forms the most direct route to Valley Forge on the Doe River; thence northeasterly and northerly with the meanders of the said road, crossing the Watauga River at Siam, to Hunter Station; thence in a northerly and general westerly direction with the meanders of road along south foot of Holston Mountain, to the point where it crosses the railroad<sup>1</sup> between Elizabethton and Bluff City, approximately  $2\frac{1}{2}$  miles north of Elizabethton; thence northwesterly with the meanders of said railroad to Elkanah; thence northeasterly and northerly with the meanders of the road which passes Chincapin Grove Church, to a sharp bend in the South Fork of the Holston River; thence northeasterly with the meanders of the road up Holston River, passing Island Mills and Hemlock, to the south end of the bridge across Holston River at Central Holston Church; thence in a general northeasterly direction up and with the meanders of the left bank of the South Fork of Holston River to intersection with the Tennessee-Virginia State Line; thence easterly with the Tennessee-Virginia State Line to the point on Pond Mountain which is the common corner of the states of Tennessee, Virginia and North Carolina; thence southerly with the Tennessee-North Carolina State line about  $3\frac{1}{2}$  miles to Forest Service Monument 1244 corner to tract 137e of the United States; thence with the lines of said tract 137e northeasterly then southerly then northwesterly to corner 4 thereof in Cut-Laurel Gap on the State line; thence southerly with the Tennessee-North Carolina State line to a point in Payne's Gap at intersection with a public road; thence, southwesterly with the meanders of the road leading down Forge Creek, to its junction with U. S. Highway No. 421, near the point where Forge Creek empties into Roan Creek; thence southerly, with the meanders of U. S. Highway No. 421, to a road fork about  $\frac{1}{2}$  mile south of Evergreen Church near mouth of Lucinda Creek; thence southwesterly with the meanders of a public road leading up Lucinda Creek, a large tributary of Roan Creek, to the Tennessee-North Carolina State Line on top of the mountain; thence, in a general southwesterly direction with the Tennessee-North Carolina State Line to the place of beginning, excluding from the above-described land, however, all land within the corporate limits of the towns of Mountain City and Erwin, Tennessee.

The boundaries of the Cherokee National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 8<sup>th</sup> day of July in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

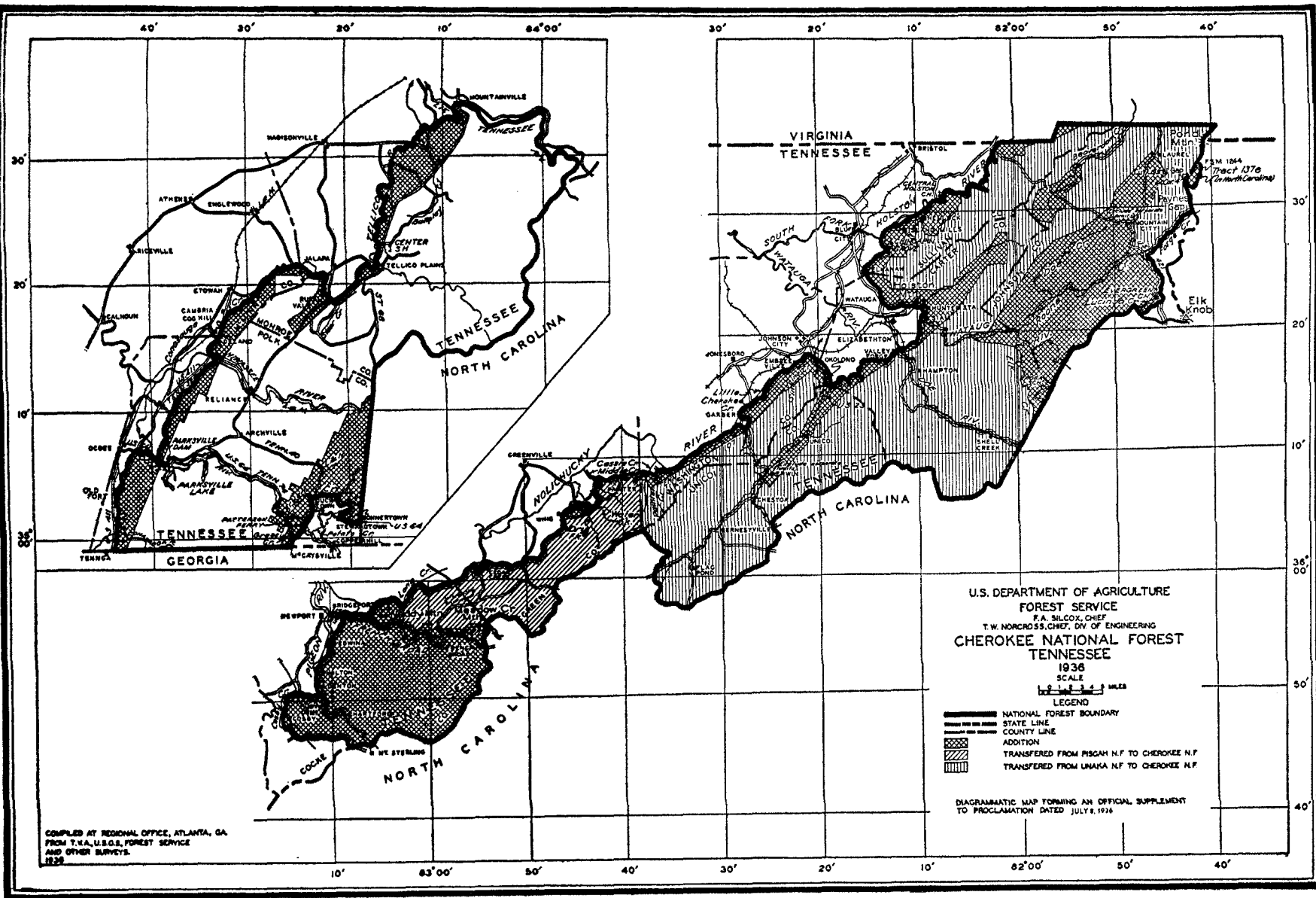
FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

<sup>1</sup> So in original.



CHATTAHOOCHEE NATIONAL FOREST—GEORGIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1936

[No. 2184]

A PROCLAMATION

WHEREAS certain forest lands within the State of Georgia have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

Chattahoochee National Forest, Ga.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS it appears that the reservation as the Chattahoochee National Forest of the said lands together with certain other lands heretofore forming parts of the Cherokee National Forest and the Nantahala National Forest would be in the public interest:

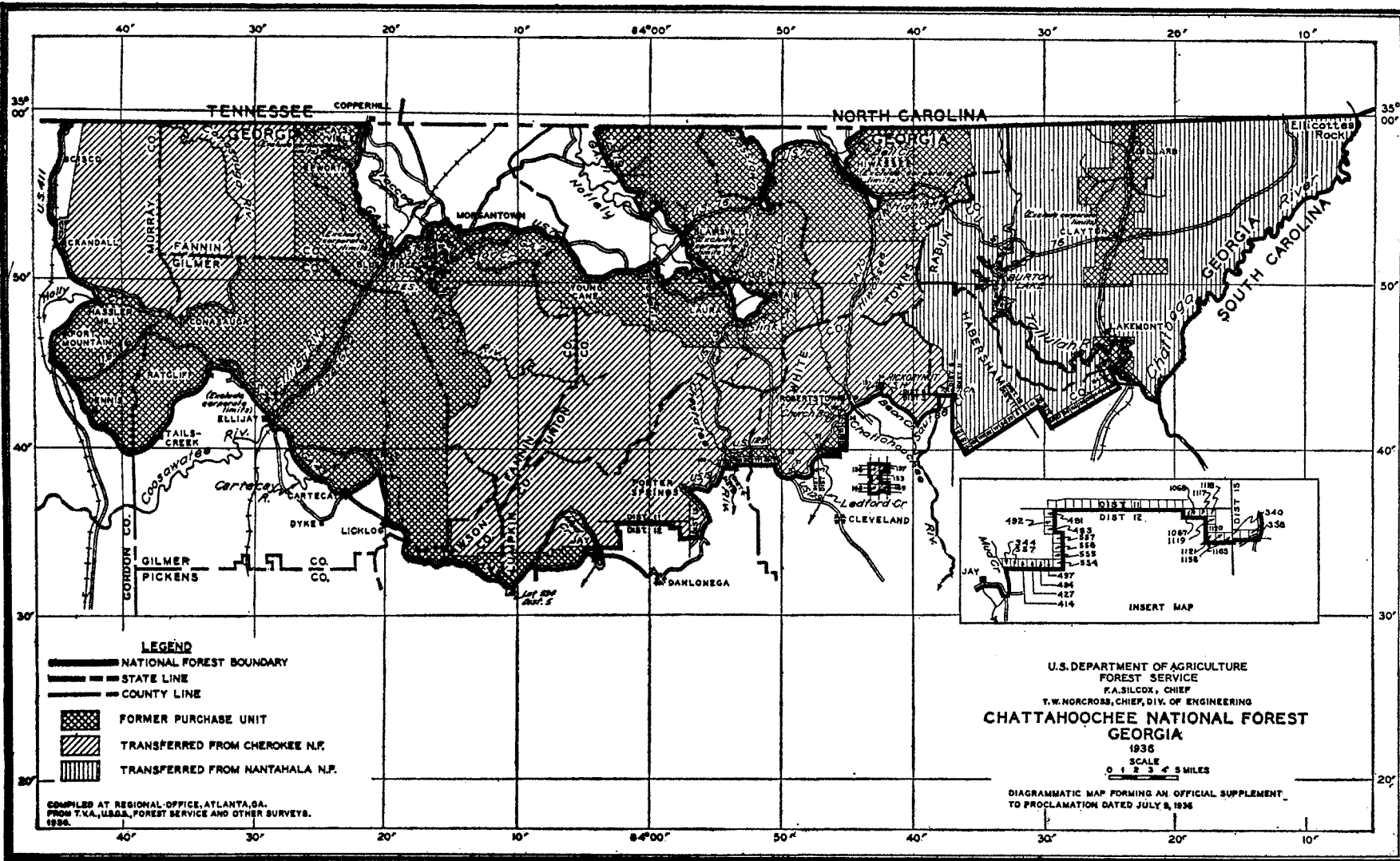
NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Chattahoochee National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Chattahoochee National Forest:

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

Beginning at "Ellicotte's Rock," the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the States of North Carolina, South Carolina and Georgia; thence southwesterly with the meanders of Chattooga River to its junction with Tallulah River; thence northwesterly with the meanders of Tallulah River to where it crosses the south boundary of Lot 173, District 13; thence southwesterly with the boundary of Lot 173 to the northeast corner of Lot 164, District 13; thence southeasterly with the boundaries of Lots 164 and 163 to the southeast corner of Lot 163; thence southwesterly with the boundaries of Lots 163, 154, 144, 135, 124, 115, 96, 87 and 53 to the southwest corner of Lot 53, District 13; thence northwesterly with the boundaries of Lots 53, 54 and 55 to the northwest corner of Lot 55, which is also the southeast corner of Lot 41, District 13; thence southwesterly with the boundaries of Lots 41 and 8, District 13 and Lots 8, 39, 54, 77, 92, 109, 124 and 134, District 11, to the southwest corner of Lot 134, District 11; thence northwesterly with the west boundaries of Lots 134, 133, 132 to a point at intersection with the line between Districts 11 and 3; thence northerly with the line between Districts 11 and 3, to the northeast corner of District 3, which is also the southeast corner of District 6; thence westerly with the line between Districts 3 and 6, 79.67 chains to a point in a small stream which point is a corner in the line between White and Habersham Counties; thence in a southerly direction with the meanders of the stream and the County line to the junction of this stream with Sautee Creek; thence southwesterly with the meanders of Sautee Creek to its junction with Bean Creek; thence northwesterly with the meanders of Bean Creek to a point in Lot 13, District 6 near head of said creek, where it crosses the road between Robertstown and Hickorynut School; thence southwesterly with the meanders of said road to its intersection with Georgia Highway No. 75 at Robertstown; thence northwesterly with Highway No. 75, approximately 30 chains to the junction with a road leading

Description.

southwest up Church Branch; thence southwesterly with said road approximately 35 chains to intersection with the east boundary of Lot 29, District 3; thence southerly with the east boundary of Lots 29, 36, 61, 68 and 93 to the southeast corner of Lot 93, District 3; thence westerly with the south boundary of said Lot 93 to the southwest corner thereof; thence southerly with the east boundary of Lot 99, District 3, to the southeast corner thereof; thence westerly with the south boundary of Lots 99, 98 and 97, District 3, approximately 126 chains to intersection with a public road just east of Ledford Creek; thence southwesterly with the meanders of said road to its junction with U. S. Highway No. 129 in Lot 27, District 4; thence northwesterly with U. S. Highway No. 129 to its intersection with the south boundary of Lot 53, District 4; thence westerly with the south boundaries of Lots 53, 68, 77, 92, 101 and 116 to the southwest corner of Lot 116, District 4, on the line between Districts 4 and 15, a point in Chestatee River; thence southerly down Chestatee River with its meanders, to the southeast corner of Lot 161, District 15; thence westerly with the south boundary of Lots 161 and 160, District 15, to U. S. Highway No. 19; thence southerly with U. S. Highway No. 19 to the south boundary of Lot 338, District 15; thence westerly with the south boundary of Lots 338, 339 and 340 to the southwest corner of Lot 340 which is in the line between Districts 15 and 12; thence southerly with the line between Districts 15 and 12 to the southeast corner of Lot 1165, District 12; thence westerly with the south boundaries of Lots 1165, 1158 and 1121 to the southwest corner of Lot 1121, District 12; thence northerly with the west boundaries of Lots 1121, 1120 and 1119 to the northwest corner of Lot 1119, District 12; thence westerly with the south boundaries of Lots 1117, 1068 and 1067 to the southwest corner of Lot 1067, District 12; thence northerly with the West boundary of Lot 1067, to the northwest corner of Lot 1067, a point on the line between Districts 12 and 11; thence westerly with the line between Districts 11 and 12, to the northeast corner of Lot 491, District 12; thence southerly with the east boundaries of Lots 491, 492 and 493 to the southeast corner of Lot 493, District 12; thence easterly with the north boundary of Lot 557, District 12, to the northeast corner thereof; thence southerly with the east boundaries of Lots 557, 556, 555 and 554 to the southeast corner of Lot 554, District 12; thence westerly with the south boundaries of Lots 554, 497, 484, 427, 414, 357 and 344 to intersection with Mud Creek; thence southerly with the meanders of Mud Creek to intersection with the public road leading from Jay to Dahlonga; thence westerly with the meanders of said road, passing Jay to the junction of said road with Georgia State Highway No. 43 in Lot 594, District 5; thence northwesterly with Highway No. 43, to Licklog; thence northerly with road leading from Licklog to Roy to a point about 1 mile southeast of Roy where a road leading to Cartecay bears off southwest; thence southwesterly with said road to its junction with State Highway No. 43 at Cartecay; thence northwesterly with State Highway No. 43 to U. S. Highway No. 76 at Ellijay; thence northwesterly with U. S. Highway No. 76 to its junction with a road leading to Ratcliff and Tails Creek; thence southwesterly with said road passing Ratcliff and Tails Creek, and continuing with road southwesterly, then westerly, then northwesterly to Dennis; thence northwesterly, then northerly, then northeasterly with the road near the foot of the mountain





to Hassler's Mill on Holly Creek; thence northwesterly with public road near foot of mountain to its junction with U. S. Highway No. 411 at or near Crandall; thence northerly with U. S. Highway No. 411 to the Georgia-Tennessee State Line; thence easterly with the State Line to Georgia State Highway No. 5 near Copper Hill, Tennessee; thence southerly with Highway No. 5 to U. S. Highway No. 76, at Blue Ridge; thence easterly with U. S. Highway No. 76 to the bridge across Coosa Creek, about 1½ miles southwest of Blairsville; thence southerly with the meanders of Coosa Creek approximately 2 miles to where a secondary road crosses the creek; thence easterly with said secondary road to U. S. Highway No. 19 just east of Nottely River; thence southeasterly with U. S. Highway No. 19, about 4 miles to the junction with a secondary road which crosses Nottely River about ¼ mile above the mouth of Stink Creek; thence northeasterly, then northerly, then northwesterly with the meanders of said secondary road, going up Stink Creek, crossing the divide onto a tributary of Town Creek, crossing Town Creek and the divide between Town Creek and Arkaqua Creek, passing Fain and Hood to U. S. Highway No. 19 approximately 1 mile southeast of Blairsville; thence northerly with U. S. Highway No. 19 to the Georgia-North Carolina State Line; thence easterly with the State Line to where it crosses Brasstown Creek; thence southerly with the meanders of Brasstown Creek to U. S. Highway No. 76; thence northerly, easterly and southeasterly with U. S. Highway No. 76, to the point where it crosses Hiawassee River, about ¾ mile northwest of Hiawassee; thence southerly with the meanders of Hiawassee River approximately 1 mile to a sharp bend in the river with a secondary road on west bank; thence southeasterly with the meanders of said secondary road to its junction with State Highway No. 75; thence southerly with Highway No. 75 to where it crosses Hiawassee River; thence northeasterly with the meanders of Hiawassee River to its junction with Hightower Creek; thence due north to U. S. Highway No. 76; thence northwesterly with U. S. Highway No. 76 to Hiawassee; thence northeasterly with the meanders of the public road leading up Bell Creek to the Georgia-North Carolina State Line; thence in an easterly direction with the State Line to point of beginning. Excluding from the above-described area all land included within the corporate limits of the towns of Clayton, Hiawassee, Blairsville, Blue Ridge, Ellijay and McCaysville; a second tract lying in White County, Georgia, and consisting of all of Lot 136, District 3; those portions of Lots 137 and 153, District 3, which the United States acquired from John E. Mitchell; and those portions of Lots 168 and 169, District 3, which the United States acquired from the Smothport Extract Company, all of which form one contiguous tract.

The boundaries of the Chattahoochee National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of July, in the Year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

NANTAHALA NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

July 9, 1936

[No. 2185]

Nantahala National  
Forest, N. C.  
Preamble.  
Statutory authori-  
zation.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

Reserving, etc., des-  
ignated lands for na-  
tional forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
30 Stat. 36.  
16 U. S. C. § 473.  
36 Stat. 963.  
16 U. S. C. § 521.

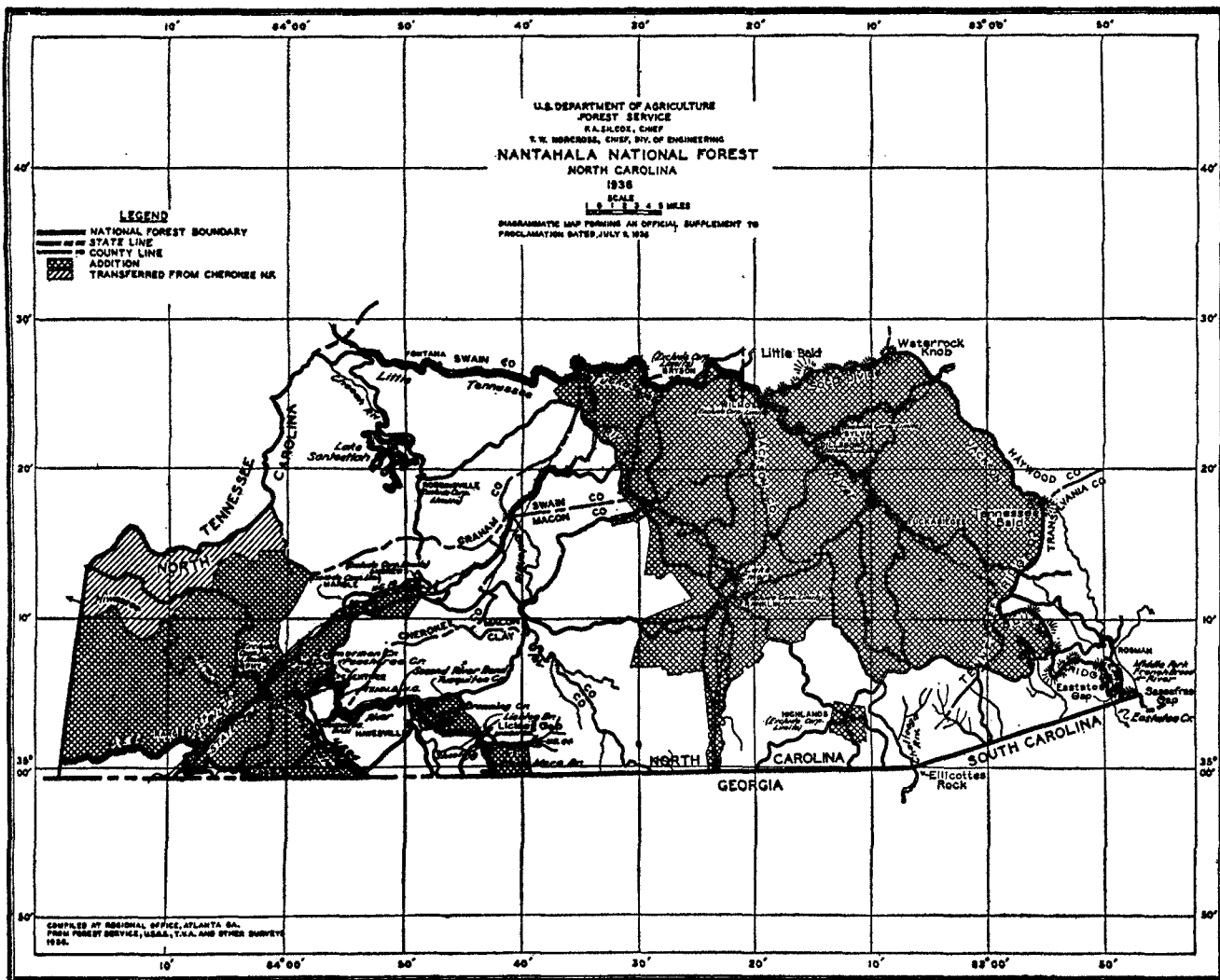
Description.

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Nantahala National Forest of the said lands together with certain other lands heretofore forming parts of the Cherokee National Forest and the Nantahala National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Nantahala National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Nantahala National Forest:

Beginning at "Ellicotte's Rock," the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the states of North Carolina, South Carolina and Georgia; thence westerly with the North Carolina-Georgia State Line to the point where the public road leading up Bell Creek, a tributary of Hiwassee River, crosses said state line; thence northerly with the meanders of public road crossing divide and going down Need More Branch to the junction of said road with U. S. Highway No. 64, on the north side of Shooting Creek; thence westerly with U. S. Highway No. 64 approximately  $\frac{1}{4}$  mile to its junction with road leading to Licklog Gap; thence northerly with the meanders of said road approximately  $\frac{3}{4}$  mile to the road leading from Union Chapel to Drowning Creek; thence westerly with said road to its junction with road leading up Drowning Creek; thence northeasterly with said road approximately  $\frac{3}{4}$  mile to the road leading north across Drowning Creek; thence northerly, westerly, and northwesterly with the road leading around the south foot of the mountain dividing the waters of Drowning Creek and Tusquittee Creek to its junction with the main road leading from Hayesville up Tusquittee Creek; thence northeasterly with said road approximately  $2\frac{1}{2}$  miles crossing Tusquittee Creek to a road junction about  $\frac{1}{4}$  mile north of the creek; thence westerly with the public road down the north side of Tusquittee Creek and Hiwassee River passing a big bend in the river to a point opposite the second such bend; thence due south to the middle of Hiwassee River; thence westerly with the meanders of Hiwassee River to the Andrews hydro-electric dam; thence northerly with the meanders of the Tennessee and North Carolina Railroad to its intersection with the public road leading up Peachtree Creek; thence northeasterly with said road to a road leading west; thence westerly with said road to



the village of Peachtree; thence northerly with public road leading up Slow Creek approximately  $\frac{3}{4}$  mile crossing railroad and Slow Creek to the second road fork beyond the creek; thence westerly and southwesterly with a public road, crossing Zimmerman Creek, to U. S. Highway No. 64; thence northwesterly with U. S. Highway No. 64 to Fall Branch; thence southerly with the meanders of Fall Branch to its junction with the Hiwassee River; thence southeasterly with the meanders of the Hiwassee River to the mouth of Brasstown Creek; thence southeasterly with the meanders of Brasstown Creek to the North Carolina-Georgia State Line; thence westerly with the state line to intersection with public road just south of Cobb, N. C.; thence northerly with said road passing through Cobb approximately 1 mile to a creek flowing west into Nottely River; thence westerly with the meanders of said creek to its junction with Nottely River; thence westerly and northerly with the meanders of the Nottely River to U. S. Highway No. 64 near Ranger, N. C.; thence westerly with U. S. Highway No. 64 to the North Carolina-Tennessee State Line; thence in a general northeasterly direction with the North Carolina-Tennessee State Line to where it crosses the Little Tennessee River; thence easterly up and with the meanders of the left bank of the Little Tennessee River to the mouth of the Tuckasegee River; thence easterly with the meanders of the left bank of Tuckasegee River to a point opposite the end of a long ridge approximately  $\frac{1}{2}$  mile north of Wilmoth; thence northeasterly crossing river and running with said ridge to the top of Little Bald; thence easterly with the meanders of the top of the mountain forming the divide between Soco Creek and Tuckasegee River to the top of Waterrock Knob, on the Jackson-Haywood County Line; thence southeasterly with the Jackson-Haywood County Line to Tennessee Bald, a common corner to the counties of Jackson, Haywood and Transylvania; thence southerly with the Jackson-Transylvania County Line on Tennessee ridge to its junctions with the Blue Ridge; thence southeasterly with the meanders of the top of the Blue Ridge leaving the county line, to Highway No. 283 in Estatoe Gap; thence southerly with Highway No. 283 to the North Carolina-South Carolina State Line; thence southwesterly with the state line to the place of beginning. Excluding from the above-described land all land within the corporate limits of the towns of Bryson City, Franklin, Dillsboro, Sylva, Murphy, Andrews, Marble, Robbinsville and Highlands.

The boundaries of the Nantahala National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## FRANCIS MARION NATIONAL FOREST—SOUTH CAROLINA

July 10, 1936

[No. 2186]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Francis Marion National Forest, S. C.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

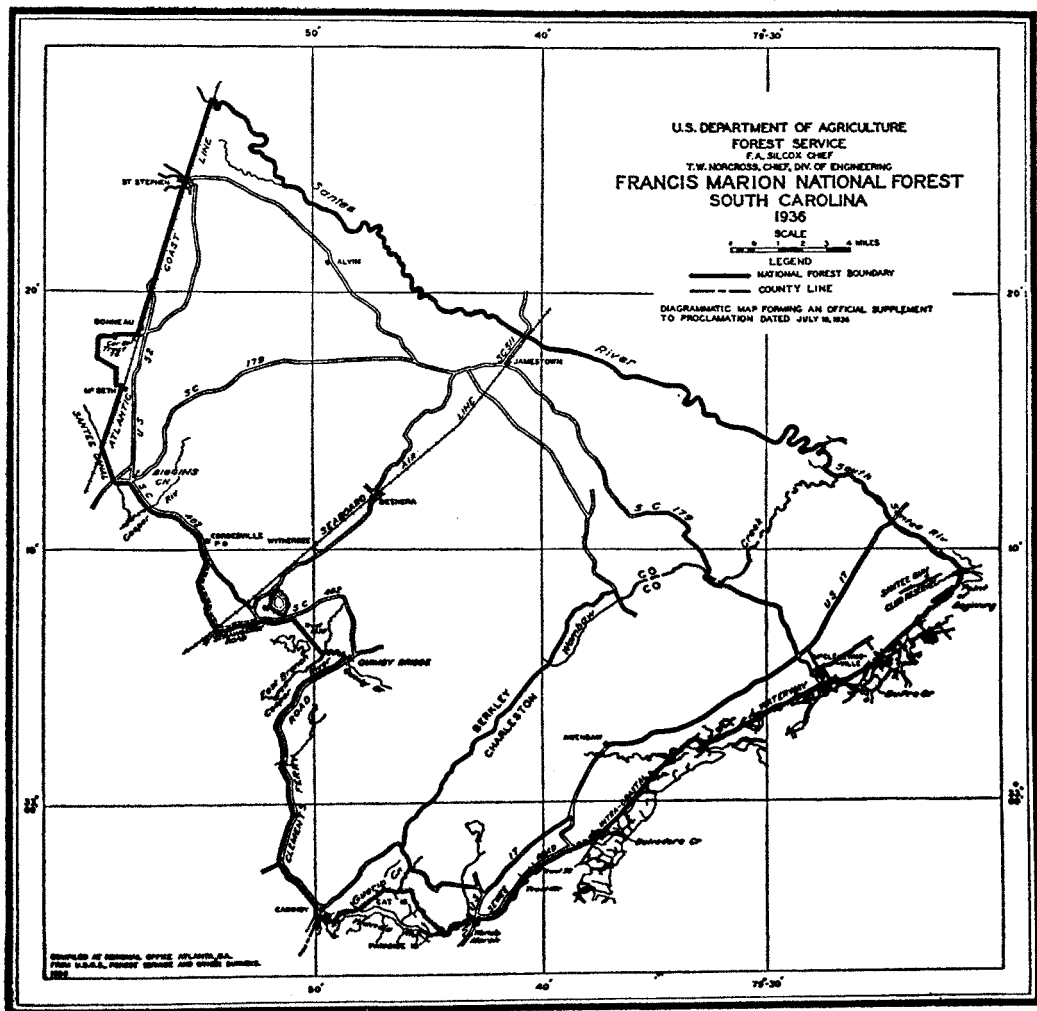
WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Francis Marion National Forest:

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Francis Marion National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Francis Marion National Forest:

## Description.

Beginning on the right bank of the South Santee River at the mouth of the Canal which drains the Santee Gun Club Reserve; thence southwesterly with the canal and the main stream flowing into it approximately  $\frac{5}{8}$  mile to a point at the inland edge of the coastal marsh; thence southwesterly with the edge of the marsh to the junction of three roads near the head of Dupre Creek; thence southwesterly with the road to a point on the north bank of the Intra-Coastal Waterway; thence southwesterly with the north bank of the Intra-Coastal Waterway to the north fork of Belvedere Creek, excluding along this line any portions of the Cape Romain Migratory Bird Refuge which may lie northwest of the Intra-Coastal Waterway; thence northwesterly with the meanders of Belvedere Creek to the end of a secondary road; thence southwesterly with said road and the Sewee Road to the point where the latter intersects the eastern boundary of Tract No. 92, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of said Tract No. 92, to a point on said road; thence southwesterly with the Sewee Road to a point on the eastern boundary of Tract No. 113r, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of Tract No. 113r, to the point where the western boundary of said Tract is crossed by the Sewee Road; thence southwesterly with said road, taking the right-hand road at approximately  $1\frac{1}{2}$  miles, to U. S. Highway No. 17; thence southerly with Highway No. 17, approximately  $\frac{1}{4}$  mile to the inland edge of the Wando Marsh; thence northwesterly with the edge of the marsh to the Wando River; thence westerly down the right bank of Wando River, running with the north channel and Guerin Creek so as to exclude Paradise Island and Cat Island, to Cainhoy; thence northwesterly with the main public road approximately three miles to its intersection with Clement's Ferry Road; thence northerly with the Clement's Ferry Road to the Quimby Bridge; thence northwesterly with the right bank of Quimby Creek to a point on the north-



west bank of the East branch of Cooper River; thence southwesterly with north or right bank of Cooper River to a point at or near Tract No. 1239; thence northwesterly with the southwest boundary of Tract No. 1239 to State Highway No. 402; thence westerly with Highway No. 402, approximately 1½ miles to Strawberry Road; thence westerly with Strawberry Road approximately 2 miles to a road fork just south of the Seaboard<sup>1</sup> Airline Railroad; thence northerly with the right-hand road, crossing the railroad, to Highway No. 402; thence northwesterly with Highway No. 402 passing Biggins Church to a point on the Santee Canal; thence northwest with the east bank of the Santee Canal to a point on the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south boundary of Tract No. 76, property of the United States; thence northwesterly, northerly, and easterly with the boundary of Tract No. 76 to Corner No. 81 of said Tract, beside a road; thence easterly with said road to where it crosses the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south bank of the Santee River; thence southeasterly with the right bank of the Santee and South Santee Rivers to the place of beginning.

The boundaries of the Francis Marion National Forest are graphically shown on the diagram attached hereto and made a part hereof. IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

# PISGAH NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 10, 1936  
[No. 2187]

## A PROCLAMATION

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Pisgah National Forest of said lands together with certain other lands heretofore forming parts of the Pisgah National Forest and the Unaka National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Pisgah National Forest all lands of the United States within the following-

Pisgah National Forest, N. C.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
30 Stat. 36.  
16 U. S. C. § 473.  
36 Stat. 963.  
16 U. S. C. § 521.

<sup>1</sup> So in original.

described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Pisgah National Forest:

#### DIVISION NUMBER 1

Division Number 1.

Beginning in Soco Gap, at a point where North Carolina State Highway 293 crosses the State line into Tennessee; thence easterly with Highway 293 to its junction with State Highway 284 at Dellwood; thence easterly and southerly with Highway 284 to its intersection with the corporate limits of the town of Waynesville; thence running with the western, southern and southeastern corporate limits of the towns of Waynesville and Hazelwood, so as to exclude them, to State Highway 284 on the southeast side of Waynesville; thence easterly with said State Highway 284 to State Highway 110 at Silver Bluff; thence northerly with Highway 110 about 0.8 mile to its junction with a road leading to Henson Cove; thence easterly with said road about 2.4 miles to Henson Cove; thence northerly with the Canton road about 1.7 miles to its junction with a road leading to Dutch Cove; thence in a general northeasterly direction with said road to the forks of the road near Dutch Cove; thence northeasterly with the northeast fork of said road about 3.7 miles to Highway 19-23 just east of the Buncombe-Haywood County line; thence easterly with U. S. Highway 19-23, about 3.4 miles to its junction with Youngs Cove Road; thence southerly with Youngs Cove Road about 1.7 miles to the road leading from Candler to Mt. Pisgah; thence southwesterly with said Pisgah Road 3.1 miles to the Glady Fork Road; thence easterly with said Glady Fork Road and the McFee Road 3.8 miles to Beaverdam Road on Beaverdam Creek; thence northerly with said Beaverdam Road about 2.1 miles to the Ledford Cove Road; thence northeasterly with said Ledford Cove Road 0.8 mile to the Case Cove Road; thence southerly, easterly, northeasterly and northerly with said Case Cove Road about 4.0 miles to Enka; thence easterly with the new Sand Hill Road about 1.1 miles to the Sardis Road; thence southeasterly with said Sardis Road 2.2 miles to Highway 191; thence southeasterly with said Highway 191 about 4.8 miles to Avery; thence southwesterly with the Avery Creek Road 1.3 miles to the Cochran Road leading from Avery Creek to McDowell Creek; thence southerly with said Cochran Road to the North Mills River Road; thence westerly with said North Mills River Road approximately 2 miles to the road leading south across North Fork of Mills River; thence southerly and southeasterly with said road, crossing the River about 1.1 miles, to the South Mills River Road; thence easterly with said South Mills River Road about 2.1 miles to the road around the northeast end of Forge Mountain connecting with State Highway 280; thence southerly with said connecting road 1.4 miles to State Highway 280; thence with said Highway 280 in a general southwesterly direction to the road connecting State Highway 280 with U. S. Highway 64 near Pisgah Forest Station; thence with said connecting road in a southerly direction about 1.2 miles to the Hendersonville-Toxaway Branch of the Southern Railway; thence with said Railway in a general southwesterly direction passing through Brevard five miles to U. S. Highway #64; thence southwesterly with said U. S. Highway 64 about 7.0 miles to the town limits of Rosman; thence excluding the town of Rosman and running southerly with State Highway 283 to East-toe Gap in the Blue Ridge; thence northwesterly with the top of



the Blue Ridge to its junction with Tennessee Ridge on Cold Mountain; thence northerly with the Transylvania-Jackson County line and the Tennessee Ridge about 10 miles to a point on Tennessee Bald common to Jackson, Haywood and Transylvania Counties; thence northwesterly with the Jackson-Haywood County line to the place of beginning.

DIVISION NUMBER 2

Division Number 2.

Beginning at the intersection of the Pigeon River with the Tennessee-North Carolina State Line at the village of Waterville, being in the line between Haywood County, North Carolina and Cocke County, Tennessee; thence with the said state line in a general northeasterly direction to State Line Gap on the line between Watauga County, North Carolina and Johnson County, Tennessee, at the head of Beaverdam Creek; thence southwest-erly with the old road to its first crossing with the main stream of Beaverdam Creek; thence down and with said Beaverdam Creek to its confluence with Watauga River; thence up and with Watauga River to Shulls Mills; thence in a general southeasterly direction with a secondary road passing through a gap about one-quarter of a mile east of Miray Knob, up the north side of Cannon Branch, through a gap about one-quarter of a mile northeast of Martin Knob to its junction with U. S. Highway 221 at Raven Rocks; thence southeasterly with U. S. Highway 221 to U. S. Highway 321 at Blowing Rock; thence with U. S. Highway 321, southeasterly passing through Green Park and Patterson to its junction with State Highway 90; thence with State Highway 90 in a southwesterly direction to Collettsville; thence with a secondary road southwesterly passing through Adako, crossing Wilson Creek and Upper Creek to State Highway 181; thence with State Highway 181 southerly 0.5 mile to its junction with road leading to Table Rock; thence with said road southwesterly passing Table Rock to its junction with State Highway 105; thence with said highway 105 westerly about one-half mile to a small stream which flows into Lake James; thence down and with said stream to the northern shoreline of Lake James; thence in a westerly direction following the shoreline of Lake James to a point on the road leading to Hankins; thence with said road westerly and southwesterly passing through Hankins to U. S. Highway 221; thence southerly with said highway 221 about 0.8 mile to U. S. Highways 64 and 70; thence westerly with U. S. Highways 64 and 70 to Old Fort; thence, excluding Old Fort, and running with U. S. Highway 64 southward to where it crosses Catawba River; thence westward up and with the Catawba River and that branch of it on the north side of Allison Ridge to the old road near the crest of the divide between Catawba River and Broad River; thence with said old road northwesterly to Corner 2 of Tract #107aII, property of the United States; thence with the southern and western boundary of said tract #107aII to the old road; thence with the old road northwesterly to the crest of the Blue Ridge in the Buncombe-McDowell County Line; thence with the Blue Ridge and said County Line in a northerly direction to High Pinnacle, a point common to Yancey, McDowell and Buncombe Counties; thence northwesterly with the Buncombe-Yancey County Line passing Blackstock Knob to Balsam Gap; thence southwesterly, leaving the County Line and following the ridge dividing the waters of Dillingham Creek and the North Fork of the Swannanoa River passing Walker Knob, Locust Knob, Craggy Dome and Buckners Knob, to Craggy

Flats; thence westerly with the divide between Dillingham and Beetree Creeks to its junction with the divide between Reems and Beetree Creeks; thence southwesterly with the hydrographic divide passing over Lanes Pinnacle to Paynes Knob; thence southeasterly with the crest of Pinnacle Ridge about one-half mile to Corner 2 of Tract #82, property of the United States; thence with the lines of Tract #82 around its southern boundary to Corner 1 of U. S. Tract #266; thence northerly with the line of Tract #266 to U. S. Tract #81; thence with the western boundary of Tract #81 to Richland Knob; thence northerly down the point of a ridge about 2.0 miles to a point in Reems Creek about 1.0 mile east of the town of Beech; thence northeasterly up the ridge to Little Snowball Mountain; thence northeasterly with crest of Little Snowball Mountain about 0.2 mile to the south boundary of U. S. Tract #475; thence with the southwest and north boundaries of Tract #475 to the crest of Little Snowball Mountain; thence down the ridge northeasterly about 2 miles to a point in Dillingham Creek about 0.2 mile west of the village of Dillingham; thence up a ridge which leads northerly, passing along the western boundary of U. S. Tract #494, about 2.6 miles to a point in North Ivy River, said point being about 3.2 miles east of the town of Barnardsville; thence westerly down said river about 1.3 miles to its confluence with Martin Creek; thence up and with said Martin Creek and its tributary northeasterly to Many Gap at or near the junction of Yancey, Madison and Buncombe Counties; thence northerly with the road which leads down Indian Creek and then down Hinton Creek about 8.0 miles to its junction with U. S. Highway 19E; thence easterly with U. S. Highway 19E to Cane River; thence in a general easterly direction up and with the Cane River to the mouth of Bowlens Creek; thence up and with Bowlens Creek to State Highway 695; thence northeasterly with State Highway 695 to the town limits of Burnsville; thence northeasterly with the limits of Burnsville to U. S. Highway 19E; thence easterly with U. S. Highway 19E to State Highway 104 at Micaville; thence southerly with State Highway 104 about 6.1 miles to its junction with the road which leads up Bobs Creek, said junction being west of the South Toe River and about 0.4 mile southwest of the mouth of Bobs Creek; thence with said road in a general northeasterly direction, crossing the South Toe River about 2.7 miles to Seven Mile Ridge School; thence with a secondary road northerly and northeasterly about 2 miles to Crabtree Creek; thence down and with Crabtree Creek to its junction with the East Fork near Crabtree Falls; thence up and with the East Fork of Crabtree Creek southeasterly 0.6 mile to its intersection with a secondary road; thence with said road southeasterly passing Black Mountain Church to Gillespie Gap on the Blue Ridge in the Mitchell-McDowell County Line; thence with the Blue Ridge and the Mitchell-McDowell County Line northeasterly to McKinney Gap; thence with road down Little Rose Creek northwesterly passing Altapass to road which leads up Rose Creek; thence with said road easterly up Rose Creek to a point about 0.4 mile east of the Altapass Church; thence northerly with a secondary road to North Toe River about 0.1 mile east of the mouth of Holley Branch; thence up and with the North Toe River to U. S. Highway 19E; thence northerly with U. S. Highway 19E about 0.4 mile to its junction with the road up Brushy Creek; thence northeasterly with said road up Brushy Creek to U. S. Highway 221; thence with said Highway 221 northeasterly passing Altamont to State Highway 181 at Linville

excluding, however, from this boundary, the town of Linville; thence with State Highway 181 westerly to Newland, excluding from this boundary the town of Newland; thence westerly with the road that leads down the North Toe River to U. S. Highway 19E at Minneapolis; thence with U. S. Highway 19E southerly to a point in Three Mile Creek about 0.1 mile southeast of the junction of said Highway with State Highway 194 at Ingalls; thence down and with Three Mile Creek northwesterly about 0.2 mile to its confluence with Toe River; thence with a straight line approximately S62°W 6.0 miles to the confluence of Bear Creek with Toe River; thence up and with Bear Creek northerly about 2.5 miles to State Highway No. 19; thence with State Highway 19, westerly and northwesterly to the town limits of Bakersville excluding the town of Bakersville, and continuing with State Highway 19, westerly passing Red Hill to the road which leads up Rock Creek at a point below the junction of Rock and Bee Creeks; thence with said road up Rock Creek northerly about 0.6 mile to Bee Creek; thence continuing with said road up Bee Creek northerly about 1.5 miles to a road intersection; thence westerly with said intersecting road about 1.0 mile to the road which leads down a branch of Brummett Creek; thence with said Brummett Creek Road westerly about 2.4 miles to its junction with State Highway 19 on the right bank of Toe River; thence with State Highway 19 westerly about 3.5 miles passing Relief and crossing Toe River to its confluence with Cane River; thence up and with the Cane River Road southwestly to the confluence of Bald Mountain Creek with Cane River; thence with road up Bald Mountain Creek to Buck's Store; thence with a trail up a creek southerly about 1.3 miles to McKinney Gap; thence westerly with a spur ridge about 0.8 mile to the crest of the ridge which is the Yancey-Madison County Line; thence with said ridge and County Line southerly about 3.0 miles to the road at Windy Gap; thence with said road down Big Laurel Creek westerly to its junction with U. S. Highway 70 about 2.1 miles south of the junction of U. S. Highway 70 and State Highway 208; thence with U. S. Highway 70 southerly about 3.5 miles to Walnut; thence with an intersecting road southwestly about 2.0 miles, crossing Brush Creek to the French Broad River at Barnard; thence up and with the French Broad River southerly about 4.2 miles to the mouth of Little Pine Creek; thence up and with Little Pine Creek southwestly about 2 chains to the road leading up Little Pine Creek; thence with said road southwestly to a road intersection at the hamlet of Little Pine Creek; thence with said intersecting road southwestly about 1.7 miles to a road intersection about 3.0 miles northwest of the hamlet of Trail Branch; thence southeasterly down said road to the hamlet of Trail Branch; thence with the road southwestly about 2.8 miles to its junction with another road at a branch of Sandymush Creek; thence with said other road southwestly to its junction with another road at Sandymush Creek; thence with the said Sandymush Creek road up the creek southwestly passing the hamlet of Sandymush to Haywood Gap in the Newfound Mountains at the head of Crabtree Creek; thence down Crabtree Creek southwestly to its confluence with Pigeon River; thence northwesterly along the right bank of Pigeon River to a road crossing approximately 3 miles from the mouth of Crabtree Creek; thence crossing Pigeon River with said road westerly 0.1 mile to road intersection; thence with said intersecting road westerly about 2.5 miles to State Highway 289; thence with State High-

way 289 southwesterly 1.9 miles to State Highway 284 at the hamlet of Cove Creek; thence with State Highway 284 northwesterly to a point on the divide between Pigeon River and Cataloochie Creek in Camp Gap; thence in a general northwesterly direction with the boundary of land deeded by the State of North Carolina to the United States for the Great Smoky Mountains National Park to intersection with State Highway 284 at or near Mt. Sterling Gap; thence northerly with Highway No. 284 to the North Carolina-Tennessee State Line; thence with said State Line easterly to the place of beginning.

The boundaries of the Pisgah National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

SUMTER NATIONAL FOREST—SOUTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

July 13, 1936  
[No. 2188]

Sumter National  
Forest, S. C.  
Preamble.  
Statutory authori-  
zation.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands together with certain other lands heretofore forming a part of the Nantahala National Forest as the Sumter National Forest:

Reserving, etc., des-  
ignated lands for na-  
tional forest.

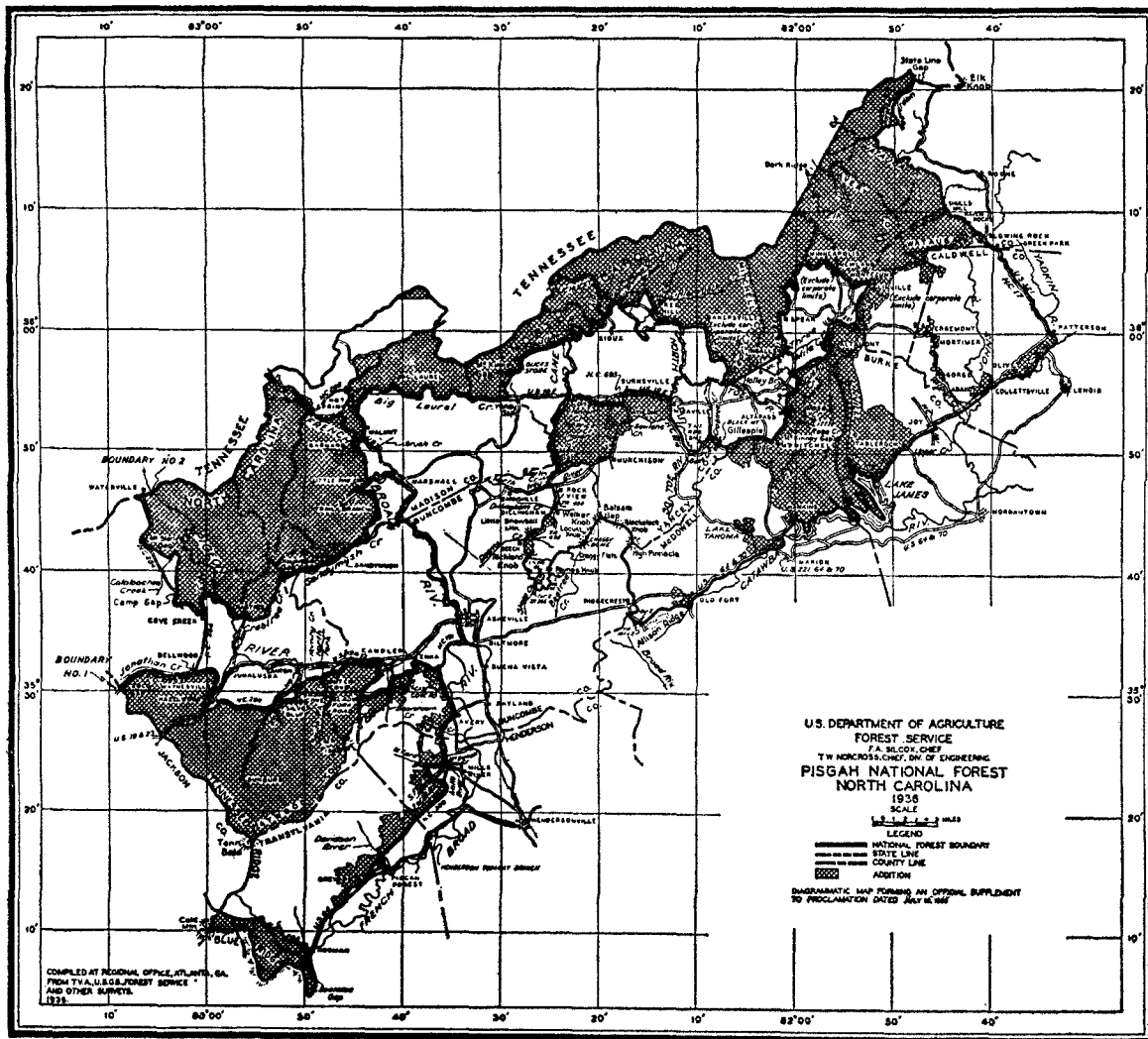
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Sumter National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sumter National Forest:

ENOREE DIVISION

Enoree Division.

Beginning at the intersection of S. C. Highways 9 and 91, the most northerly point on said Unit, approximately one-quarter mile East of Lockhart; thence southeasterly with Highway 9, approximately five miles to intersection with Old Columbia road at Wilksburg; thence southerly with Old Columbia road approxi-



mately 12 miles, passing Leeds, to intersection of S. C. Highway 7; thence westerly with Highway 7,  $1\frac{1}{2}$  miles to intersection with S. C. Highway 215; thence southerly with S. C. Highway 215, approximately 15 miles to intersection with Dawkins Road approximately  $1\frac{1}{2}$  miles south of Salem Cross Roads; thence southwesterly  $5\frac{1}{2}$  miles with said road to Dawkins, S. C., at Broad River; thence northwesterly with the left bank of Broad River 3 miles to S. C. Highway 22 at Strother; thence southwesterly with Highway 22 approximately 13 miles crossing Broad River to intersection with S. C. Highway 192, approximately  $2\frac{1}{2}$  miles northeast of Newberry; thence westerly with Highway 192,  $1\frac{1}{2}$  miles, crossing U. S. Highway 176, to intersection with U. S. Highway 76; thence northwesterly with Highway 76 approximately 17 miles passing Kinards and Goldville to the intersection with old local road leading to Jones Crossing; thence northeasterly with said old local road approximately 7 miles crossing S. C. Highway 7 to the west boundary of Tract No. 18a under option to the United States; thence with the lines of said tract northerly to Corner 1 thereof; thence northeasterly with the old location of the Jones Bridge Road to the new location thereof; thence northeasterly with said Jones Bridge Road crossing Enoree River to Highway 92 at Cross Keys; thence with said S. C. Highway 92 approximately 8 miles, crossing Tyger River, to Fair Forest Creek; thence southeasterly down and with the meanders of Fair Forest Creek, approximately 4 miles, to local road at Harris Bridge; thence northeasterly with local road approximately 4 miles to intersection with U. S. Highway 176 at Hebron Church; thence northeasterly with U. S. Highway 176 1 mile to intersection with local road approximately  $2\frac{1}{2}$  miles south of Union; thence northeasterly following said local road approximately 10 miles crossing S. C. Highway 215 and Southern Railway to Coleman Creek; thence easterly down and with the meanders of Coleman Creek, about one mile to Broad River; thence crossing Broad River and running with the left bank thereof in a northeasterly direction about 4 miles to the bridge at Lockhart; thence easterly with State Highway 91, approximately one-fourth mile to the place of beginning.

#### OCONEE DIVISION

Beginning at Ellicottes Rock, the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the states of South Carolina, North Carolina and Georgia; thence northeasterly with the North Carolina-South Carolina State Line to a point in Sassafras Gap, a corner of Pickens and Greenville Counties; thence southerly and easterly with the meanders of the Pickens-Greenville County Line, down and with South Saluda River, to a point which is N  $45^{\circ}$  W from Table Rock; thence S  $45^{\circ}$  E approximately 1.5 miles to the summit of Table Rock; thence S  $38^{\circ}$  W approximately 4.8 miles to Oolenoy Bridge; thence S  $76^{\circ}30'$  W approximately 17.7 miles to corner 2 of Tract No. 307e, property of the United States; thence southerly a straight line to corner 4 of Tract No. 881 property of the United States; thence southerly with the boundary of Tract No. 881 to corner 3 of said tract; thence southerly a straight line to corner 8 of Tract No. 486, property of the United States; thence southwesterly with the boundary of Tract No. 486 to corner 7 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 800-b, property of the United States; thence southwesterly and westerly with the boundary of Tract No. 800-b to corner 13

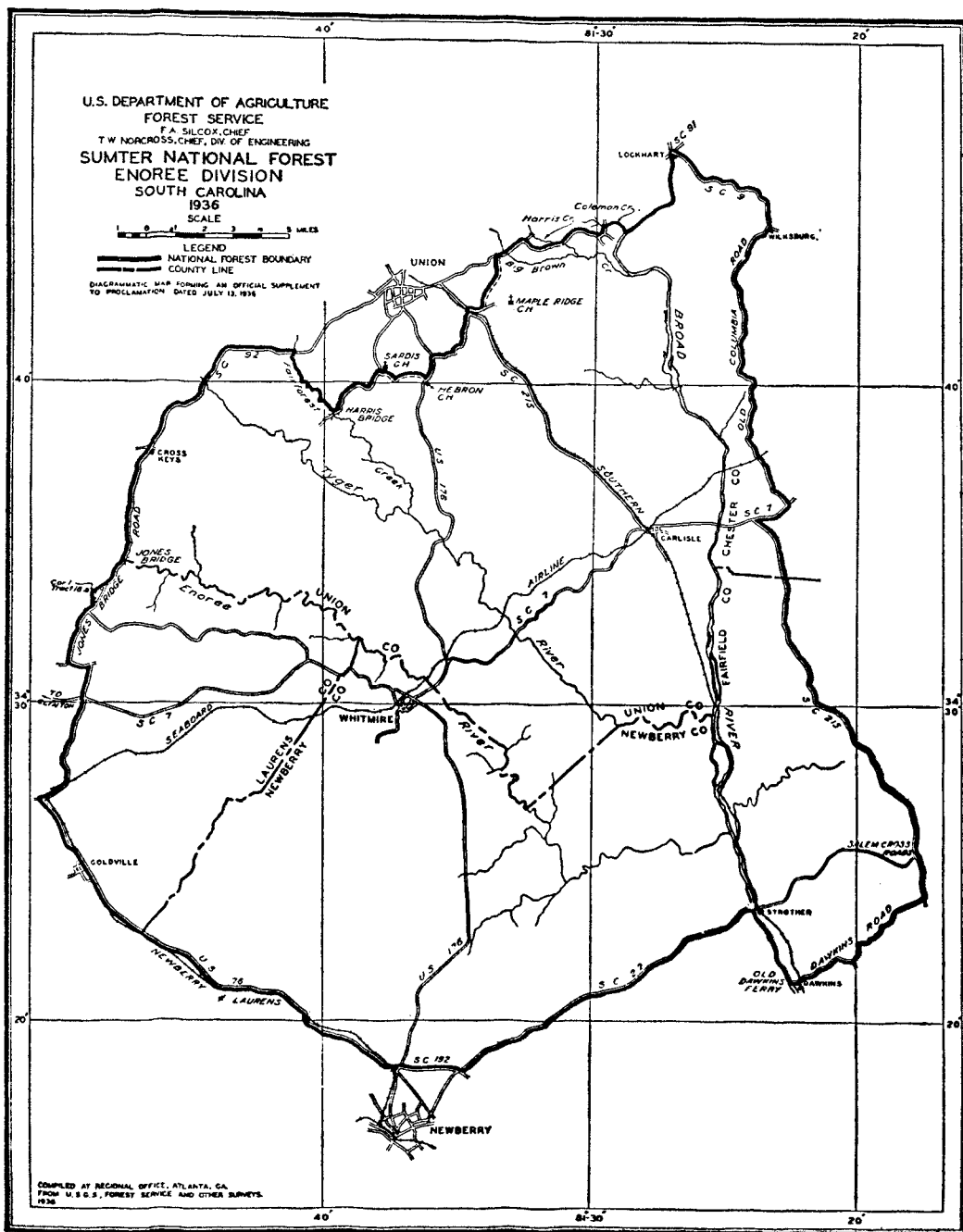
Oconee Division.

of Tract No. 873, property of the United States; thence southerly and westerly with the boundary of Tract No. 873 to corner 5 of said tract; thence southwesterly a straight line to corner 8 of Tract No. 800a, property of the United States; thence in a general southerly direction with the eastern boundaries of Tracts Nos. 800a, 307c, 800a-1 and 886, all the property of the United States, running so as to include them herein, to corner 8 of Tract No. 886; thence southwesterly a straight line to corner 43 of Tract No. 800, property of the United States; thence in a general southerly direction with the eastern boundary of Tract No. 542, property of the United States, to corner 3 of said tract; thence southerly a straight line to corner 60 of Tract No. 800; thence southerly and westerly, with the eastern and southern boundary of Tract No. 800 to corner 64 of said tract; thence southwesterly a straight line to corner 17 of Tract No. 489, property of the United States; thence southerly, with the eastern boundary of Tract No. 489, to corner 3 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 430, property of the United States; thence westerly with the southern boundary of Tract No. 430 to corner 4 of said tract; thence westerly a straight line to corner 21 of Tract No. 800f, property of the United States; thence northwesterly with the southwestern boundaries of Tracts Nos. 800f and 428, to corner 1 of the latter tract; thence northerly a straight line to corner 2 of Tract No. 428a, property of the United States; thence in a general westerly, then northerly, then westerly direction, with the boundaries of Tracts 428a, 302j and 302, so as to include them herein, to corner 14 of Tract No. 302; thence northwesterly a straight line to the junction of the Chattooga and Tallulah Rivers; thence in a general northeasterly direction, with the meanders of the Chattooga River, which forms the Georgia-South Carolina State Line, to the place of beginning.

#### LONG CANE DIVISION



Long Cane Division.

Beginning at the junction of Stevens Creek with Savannah River; thence northwesterly with the meanders of Savannah River to Wallace Landing about 1 mile above the mouth of Dordon Creek; thence easterly with the most direct public road to Parksville; thence northerly with the Scott's Ferry Road to its junction with the Edgefield-Abbeville Road at Liberty Hill; thence northwesterly with the latter road to its junction with South Carolina State Highway No. 43; thence westerly with Highway No. 43 to the point where it crosses Rocky Creek; thence northerly with the meanders of Rocky Creek approximately 2 miles to a point where it is crossed by a public road; thence westerly with said public road to its junction with State Highway No. 10; thence southerly with State Highway No. 10 to the point where it first crosses the C. & W. C. Railroad; thence in a general southeasterly direction with the C. & W. C. Railroad to Plum Branch; thence southwesterly with a public road to a point on the Savannah River near the mouth of a small branch about  $\frac{1}{2}$  mile above the mouth of Landon Branch; thence northwesterly with the meanders of Savannah River to Hesters Ferry about  $\frac{3}{4}$  mile above the mouth of Patterson Creek; thence northeasterly with a public road to its junction with State Highway No. 82 about  $1\frac{1}{2}$  miles west of Willington; thence northwesterly with State Highway No. 82 to Mt. Carmel; thence northeasterly with the Mt. Carmel-Abbeville Road passing Calhoun Mill to the junction with State Highway No. 7; thence

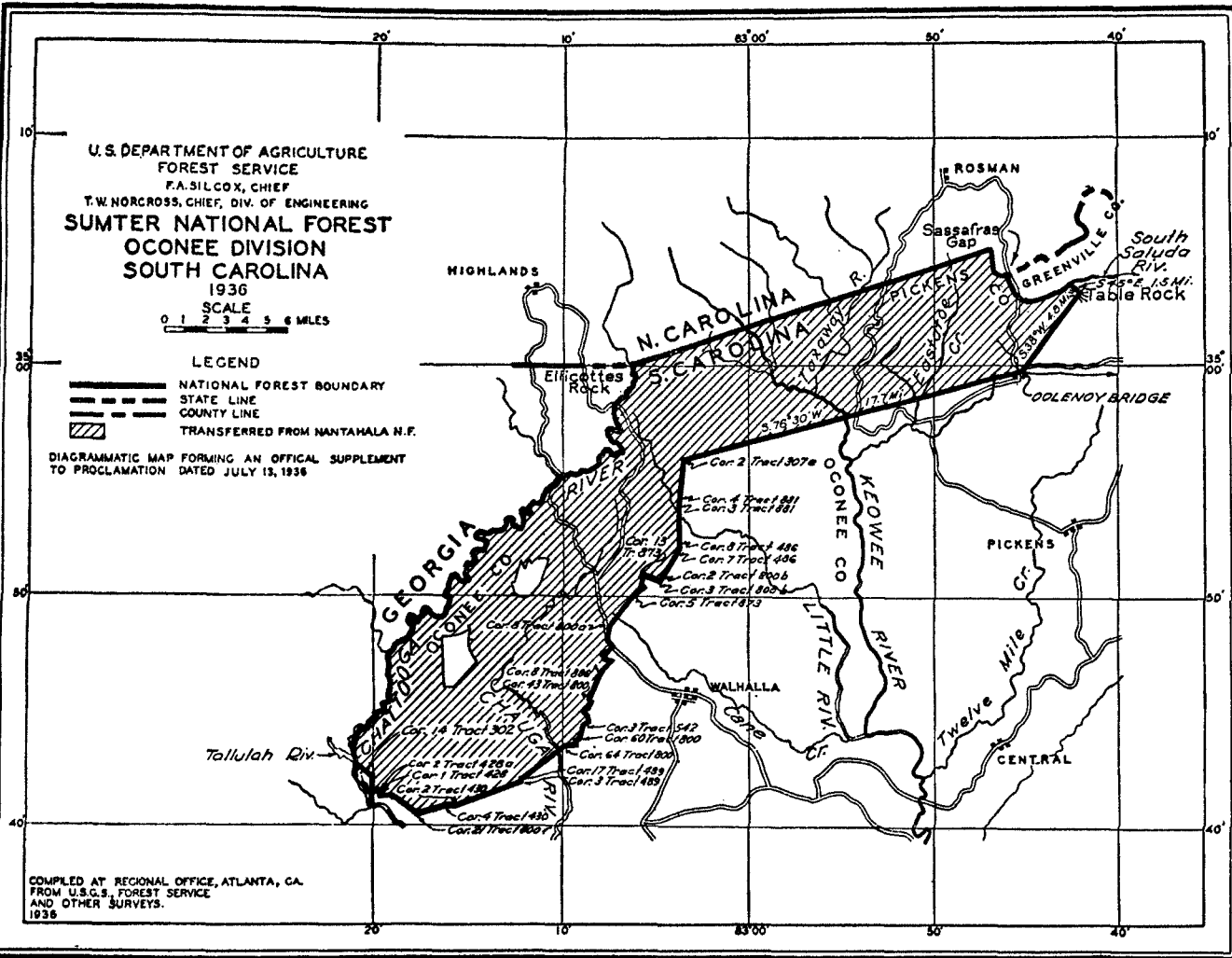




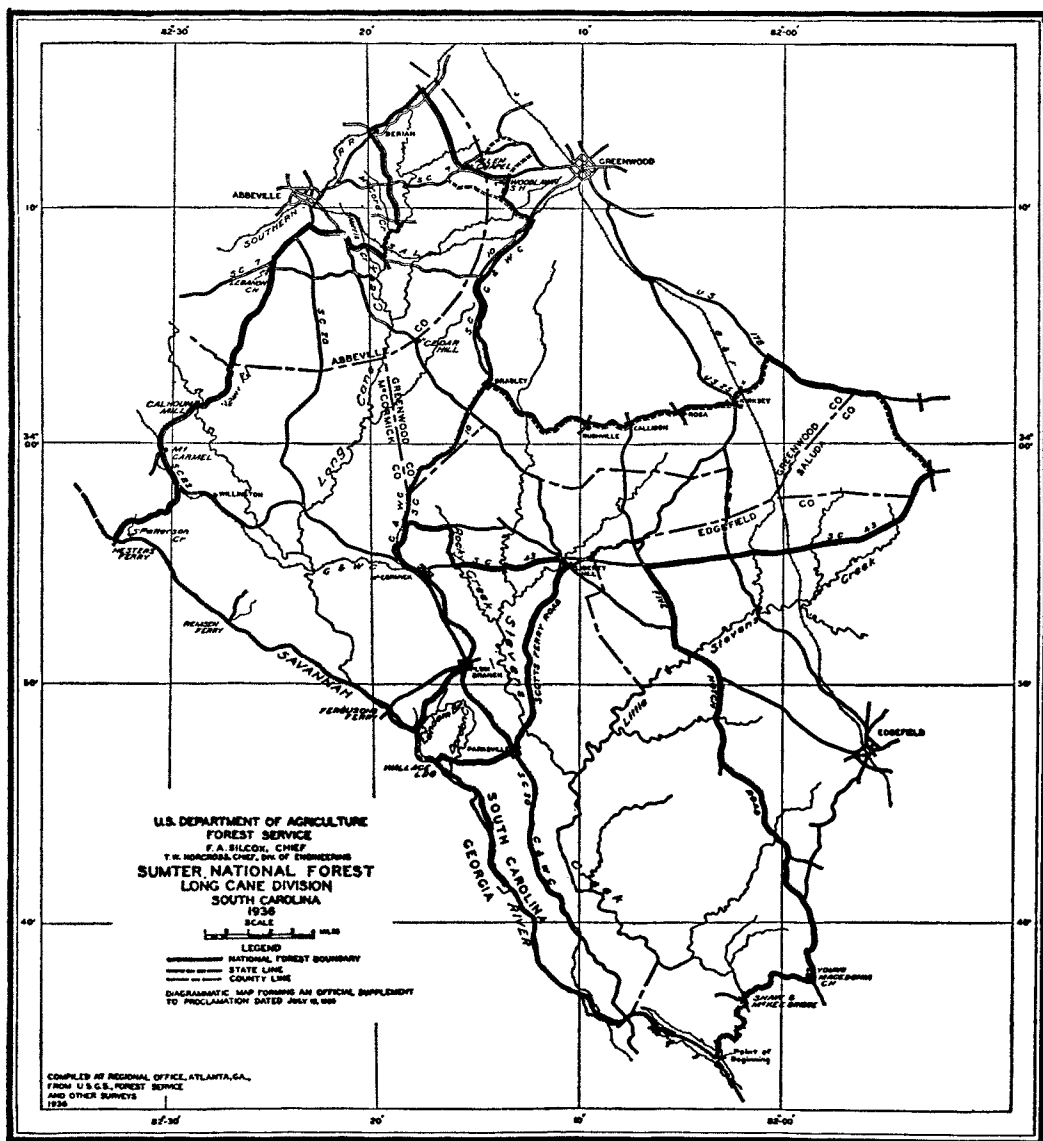
### LEGEND

-  NATIONAL FOREST BOUNDARY  
 STATE LINE  
 COUNTY LINE  
 TRANSFERRED FROM NANTAHALA N.F.

DIAGRAMMATIC MAP FORMING AN OFFICAL SUPPLEMENT  
TO PROCLAMATION DATED JULY 13, 1936



COMPILED AT REGIONAL OFFICE, ATLANTA, GA.  
FROM U.S.G.S., FOREST SERVICE  
AND OTHER SURVEYS.  
1936



northeasterly with State Highway No. 7 to its junction with an east and west road about 1 mile south of Abbeville; thence easterly with said east and west road to its junction with the Abbeville-Cedar Hill Road; thence southerly with the meanders of the Abbeville-Cedar Hill Road approximately 1 mile to a road fork; thence easterly with a public road crossing Norris Creek to the point where said road crosses Long Cane Creek; thence northerly with the meanders of Long Cane Creek to the point where said creek is crossed by a public road about  $\frac{3}{4}$  mile above the mouth of McCord Creek; thence westerly with said public road approximately  $\frac{1}{4}$  mile to first road fork; thence northerly with the right-hand road to the point where said road crosses the Southern Railway at Deriah; thence a northeasterly direction with the meanders of the Southern Railway approximately 3 miles to the point where it is crossed by a public road; thence southeasterly with said road crossing State Highway No. 7 at Allen's Chapel to a junction with another road at Woodlawn School; thence southwesterly with said road approximately 1 mile to the junction with a secondary road connecting State Highways Nos. 10 and 7; thence southeasterly with said secondary road passing its junction with State Highway No. 10 to a point on the C. & W. C. Railroad; thence southwesterly with the meanders of the C. & W. C. Railroad to Bradley; thence south-easterly, easterly, and northeasterly with the meanders of a secondary road passing Rushville, Callison and Rosa, crossing U. S. Highway No. 25, about  $\frac{1}{4}$  mile south of Kirksey, passing Kirksey and taking right-hand road about  $\frac{1}{4}$  mile north thereof, to its junction with U. S. Highway No. 178; thence southeasterly with U. S. Highway No. 178 approximately  $5\frac{1}{2}$  miles to its junction with a secondary road leading to the right; thence southeasterly with the meanders of said secondary road to its junction with State Highway No. 43; thence southwesterly and westerly with State Highway No. 43, to its junction with the Five Notch Road; thence in a general southeasterly direction with the meanders of the Five Notch Road to a road fork at Young Macedonia Church; thence westerly with the meanders of the right-hand road to the point where it crosses Stevens Creek at the Shaw and McKee Bridge; thence southwesterly with the meanders of Stevens Creek to the place of beginning.

The boundaries of the Sumter National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## CONECUH NATIONAL FOREST—ALABAMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Conecuh National  
Forest, Ala.  
Preamble.  
Statutory authori-  
zation.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

WHEREAS certain forest lands within the State of Alabama have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands and certain adjoining public lands within the areas hereinafter designated as the Conecuh National Forest:

Reserving, etc., des-  
ignated lands for na-  
tional forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Conecuh National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Conecuh National Forest:

## TALLAHASSEE MERIDIAN

Tallahassee Merid-  
ian.

- T. 6 N., R. 20 W., sections 19 to 23, inclusive, and those parts of sections 26 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 21 W., sections 19 and 20, and those parts of sections 29 and 30 lying in Alabama;
- T. 6 N., R. 22 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 23 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 24 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 25 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 26 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 27 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
- T. 6 N., R. 28 W., that part of section 25 lying in Alabama;

## ST. STEPHENS MERIDIAN

St. Stephens Merid-  
ian.

- T. 1 N., R. 11 E., section 1 and those parts of sections 2 to 8, inclusive, lying south of Conecuh River and sections 9 to 36, inclusive;
- Tps. 1 N., Rs. 12, 13, 14, 15, and 16 E.;
- T. 1 N., R. 17 E., sections 1 to 24, inclusive, and sections 29 to 32, inclusive;
- T. 1 N., R. 18 E.;
- T. 2 N., R. 11 E., those parts of sections 34 to 36, inclusive, lying south and east of Conecuh River;

- T. 2 N., R. 12 E., those parts of sections 13, 14, 15, 20, 21 and 22 lying south of Conecuh River, sections 23 to 28, inclusive, those parts of sections 29 to 31, inclusive, lying south of Conecuh River, and sections 32 to 36, inclusive;
- T. 2 N., R. 13 E., sections 1 to 4, inclusive, those parts of sections 5, 6, 7 and 18 lying south of Conecuh River, sections 8 to 17, inclusive, and sections 19 to 36, inclusive;
- Tps. 2 N., Rs. 14 and 15 E.;
- T. 2 N., R. 16 E., sections 1 to 3, inclusive, sections 5 to 8, inclusive, and sections 10 to 36, inclusive;
- T. 2 N., R. 17 E., sections 1 to 3, inclusive, sections 5 to 8, inclusive, and sections 10 to 36, inclusive;
- T. 2 N., R. 18 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;
- T. 3 N., R. 13 E., those parts of sections 25, 27, 28, 32, 33, 34, 35 and 36 lying south of Conecuh River;
- T. 3 N., R. 14 E., those parts of sections 30 and 31 lying south of Conecuh River;
- T. 3 N., R. 16 E., sections 25, 26, 35 and 36;
- T. 3 N., R. 17 E., E½ section 24, sections 25, 30 and 31, S½ section 32, and sections 35 and 36;
- T. 3 N., R. 18 E., sections 19 to 21, inclusive, and sections 28 to 33, inclusive.

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Prior rights not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17<sup>th</sup> day of July in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

# TALLADEGA NATIONAL FOREST—ALABAMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS certain forest lands within the State of Alabama have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate said lands and certain adjoining public lands as the Talladega National Forest:

Talladega National Forest, Ala.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

July 17, 1936  
[No. 2190]

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.

36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Talladega National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Talladega National Forest:

Talladega Division.

## TALLADEGA DIVISION

### HUNTSVILLE MERIDIAN

Huntsville Meridian.

- T. 13 S., R. 9 E., S½ section 13, S½ section 22, sections 23 to 27, inclusive, and sections 34 to 36, inclusive;
- T. 13 S., R. 10 E., sections 13 to 15, inclusive, S½ sections 16 to 18, inclusive, and sections 19 to 36, inclusive;
- T. 13 S., R. 11 E., sections 1, 2, 11 to 14, inclusive, and sections 19 to 36, inclusive;
- T. 13 S., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, sections 29 to 32, inclusive, and fractional sections 4, 9, 16, 21, 28, 33 and 34;
- T. 14 S., R. 9 E., sections 1 to 5, inclusive, sections 8 to 17, inclusive, section 20, E½ section 25, and section 36;
- T. 14 S., R. 10 E.;
- T. 14 S., R. 11 E., sections 1 to 24, inclusive, and sections 30 and 31;
- T. 14 S., R. 12 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and fractional sections 3, 10, 15 and 22;
- T. 15 S., R. 9 E., sections 1, 12, 13, 24, 25 and 36;
- T. 15 S., R. 10 E.;
- T. 15 S., R. 11 E., sections 6, 7, 18, 19, 30 and 31;
- T. 16 S., R. 9 E., sections 1, 12 and 13, S½S½ sections 20 and 21, sections 22 to 29, inclusive, S½S½ section 30, and sections 31 to 36, inclusive;
- T. 16 S., R. 10 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive;
- T. 17 S., R. 7 E., sections 13 and 14, E½ section 21, sections 22 to 27, inclusive, E½ section 28, that part of section 31 lying east of the Louisville and Nashville Railroad, and sections 32 to 36, inclusive;
- T. 17 S., R. 8 E., S½ and S½N½ section 1, and sections 10 to 36, inclusive;
- T. 17 S., R. 9 E.;
- T. 18 S., R. 6 E., those parts of sections 1, 12, 13, 24, 25, 34, 35 and 36 lying east and south of the Louisville and Nashville Railroad;
- T. 18 S., R. 7 E.;
- T. 18 S., R. 8 E., sections 1 and 2, N½, SW¼ and N½SE¼ section 5, sections 6 and 7, NW¼ and N½SW¼ section 8, E½ section 10, sections 11 to 15, inclusive, SW¼NW¼, NW¼SW¼ and S½SW¼ section 17, sections 18 and 19, W½ and S½SE¼ section 20, NE¼, E½NW¼ and S½ section 21, and sections 22 to 36, inclusive;

- T. 18 S., R. 9 E., sections 4 to 8, inclusive, N $\frac{1}{2}$  section 17, and section 18;  
 T. 19 S., R. 5 E., section 13, SE $\frac{1}{4}$  section 14, SE $\frac{1}{4}$  section 22, sections 23 to 27, inclusive, S $\frac{1}{2}$  section 28, and sections 33 to 36, inclusive;  
 T. 19 S., R. 6 E., sections 1 to 3, inclusive, S $\frac{1}{2}$  sections 7 and 8 and sections 9 to 36, inclusive;  
 T. 19 S., R. 7 E.;  
 T. 19 S., R. 8 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;  
 T. 20 S., R. 4 E., sections 24, 35, and 36, and those parts of sections 12, 13, 14, 22, 23, 26, 27 and 35 lying east of the Louisville and Nashville Railroad;  
 T. 20 S., R. 5 E., sections 1 to 4, inclusive, E $\frac{1}{2}$  section 5, that part of section 7 lying southeast of the Louisville and Nashville Railroad, and sections 8 to 36, inclusive;  
 T. 20 S., R. 6 E.;  
 T. 20 S., R. 7 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;  
 T. 21 S., R. 4 E., sections 1, 12, 13, sections 22 to 28, inclusive, sections 34 to 36, inclusive, those parts of sections 2, 11, 14, 15 and 21 lying southeast of the Louisville and Nashville Railroad, and that part of section 33 lying east of the Central of Georgia Railroad;  
 T. 21 S., R. 5 E.;  
 T. 21 S., R. 6 E., sections 1 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;  
 T. 21 S., R. 7 E., sections 4 to 6, inclusive;  
 T. 22 S., R. 4 E., sections 1 to 3, inclusive, and those parts of sections 4, 9, 10, 11 and 12 lying east and north of the Central of Georgia Railroad;  
 T. 22 S., R. 5 E., sections 1 to 10, inclusive;  
 T. 22 S., R. 6 E., sections 4 to 6, inclusive, E $\frac{1}{2}$  section 8, and section 9.

OAKMULGEE DIVISION

Oakmulgee Division.

ST. STEPHENS MERIDIAN

- T. 19 N., R. 9 E., sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 22 to 27, inclusive, and sections 34 to 36, inclusive;  
 T. 19 N., R. 10 E.;  
 T. 20 N., R. 8 E., sections 1, 2, 12, 13, and those parts of sections 3, 10, 11 and 14 lying east of Cahaba River;  
 T. 20 N., R. 9 E., sections 1 to 18, inclusive, sections 22 to 27, inclusive and sections 34 to 36, inclusive;  
 T. 20 N., R. 10 E.;  
 T. 20 N., R. 11 E., sections 1 to 21, inclusive, and sections 28 to 33, inclusive;  
 T. 21 N., R. 8 E., sections 13, 23, 24, 25, 26, 35 and 36 and those parts of sections 11, 12, 14, 15, 21, 22, 27, 28 and 34 lying east of Cahaba River;  
 T. 21 N., R. 9 E., sections 1 to 4, inclusive, and those parts of sections 5, 6 and 7 lying east of Cahaba River and sections 8 to 36, inclusive;

St. Stephens Meridian.

Tps. 21 N., Rs. 10 and 11 E.;

T. 21 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 19, inclusive, N½ and SW¼ section 20, W½ section 29, sections 30 and 31, and W½ section 32;

T. 22 N., R. 9 E., section 13 and sections 23 to 27, inclusive, sections 33 to 36, inclusive, and those parts of sections 14, 15, 21, 22, 28, 29, 31 and 32 lying east of Cahaba River;

T. 22 N., R. 10 E., sections 1 to 5, inclusive, and sections 8 to 36, inclusive;

T. 22 N., R. 11 E.;

T. 22 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive;

T. 23 N., R. 10 E., sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 22 to 27, inclusive, and sections 34 to 36, inclusive;

T. 23 N., R. 11 E.;

T. 23 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive.

Prior rights not affected.

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

### HOMOCHITTO NATIONAL FOREST—MISSISSIPPI

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

July 20, 1936  
[No. 2191]

Homochitto National Forest, Miss.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS certain forest lands within the State of Mississippi have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate said lands and certain adjoining public lands as the Homochitto National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.



U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
F. A. SILCOX, CHIEF  
T. W. NORCROSS, CHIEF, DIV. OF ENGINEERING  
**HOMOCHITTO NATIONAL FOREST**  
MISSISSIPPI

WASHINGTON MERIDIAN

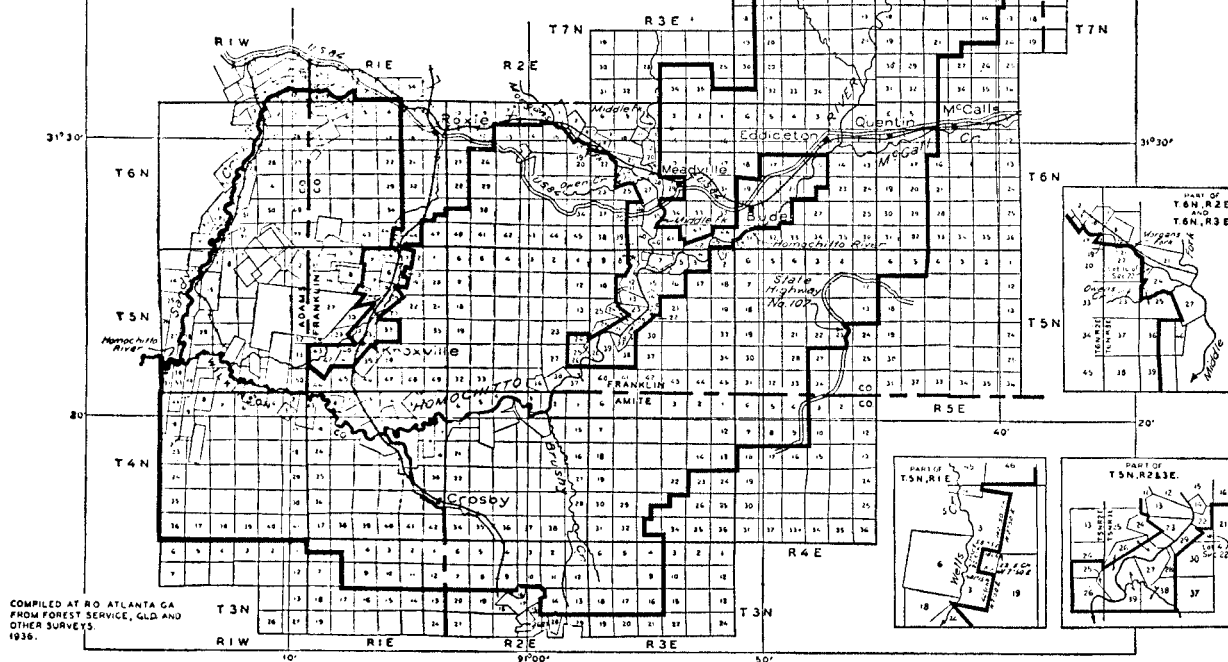
1936

SCALE  
0 1 2 3 4 5 MILES

LEGEND

—— NATIONAL FOREST BOUNDARY  
—— COUNTY LINE

DIAGRAMMATIC MAP ANNEXED TO AND FORMING PART-  
OF PROCLAMATION DATED JULY 20, 1936



that there are hereby reserved and set apart as the Homochitto National Forest all lands of the United States within the area shown on the diagram hereto attached and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Homochitto National Forest.

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Prior rights not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 20<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# CROATAN NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 29, 1936

[No. 2192]

## A PROCLAMATION

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

Croatan National Forest, N. C.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Croatan National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Croatan National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Croatan National Forest:

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

Beginning at the confluence of Brices Creek and Trent River about two miles south of New Bern in the State of North Carolina; thence southerly up Brices Creek to the confluence with Lees Branch; thence up Lees Branch about one mile to where the Rockwell line leaves it northward; thence with the Rockwell line northerly about  $\frac{3}{4}$  mile; thence with the Rockwell line easterly to the Norfolk Southern Railway; thence with the Norfolk Southern Railway southeasterly about  $1\frac{1}{2}$  miles to where road

Description.

crosses leading to Camp KI-RO; thence with the road leading to Camp KI-RO northeasterly and continuing a straight course about one mile to Neuse River; thence down the right bank of Neuse River about 15 miles to the mouth of Clubfoot Creek; thence with Clubfoot Creek, the Old Inland Waterway and Harlowe Creek to Newport River; thence up the left bank of Newport River about 10 miles to State Highway No. 10; thence with said Highway southeasterly about 3 miles to the road leading to Catholic Orphanage Camp; thence along said road southward about  $\frac{3}{4}$  mile to State Highway No. 24; thence with said Highway westward about 16 miles to White Oak River; thence up the left bank of White Oak River about 25 miles to State Highway No. 30; thence with said Highway northeasterly about  $9\frac{1}{2}$  miles to Trent River; thence down the right bank of Trent River about 14 miles to the place of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

JOSHUA TREE NATIONAL MONUMENT—CALIFORNIA

August 10, 1936  
[No. 2193]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Joshua Tree National Monument, Calif.  
Preamble.

WHEREAS certain public lands in the State of California contain historic and prehistoric structures, and have situated thereon various objects of historic and scientific interest; and

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Joshua Tree National Monument:

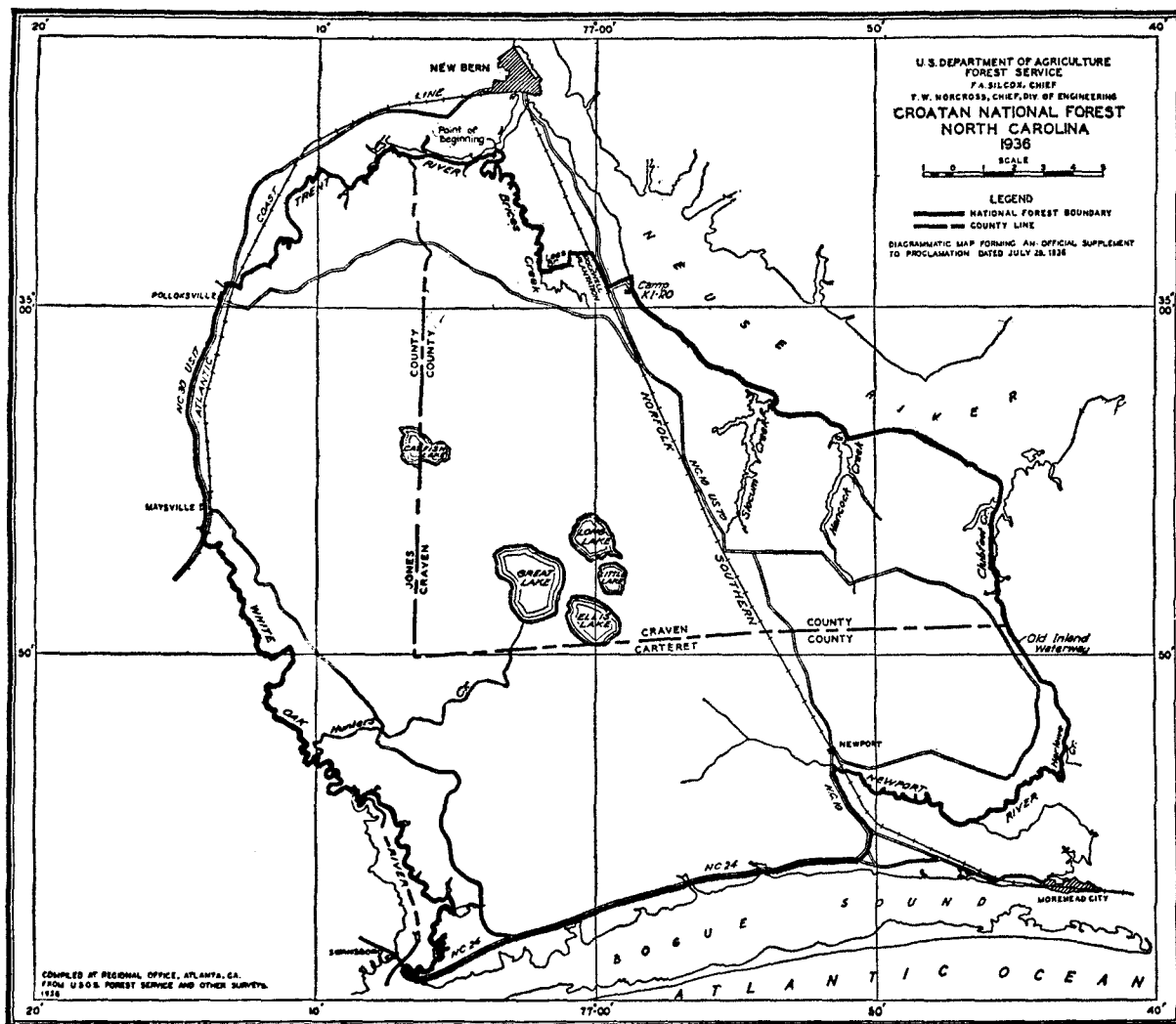
Reservation of areas for national monument.  
34 Stat. 225.  
16 U. S. C. § 431.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to existing rights and prior withdrawals, the following-described lands in California are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Joshua Tree National Monument:

SAN BERNARDINO MERIDIAN

San Bernardino Meridian.

T. 1 S., R. 5 E., secs. 19 to 36, inclusive.  
T. 2 S., R. 5 E., secs. 1 to 6, 11 to 13, inclusive, and those parts of secs. 7, 8, 9, 10, 14, 15 and 24 lying north of the north boundary of the Colorado River Aqueduct right-of-way.



- T. 1 S., R. 6 E., secs. 19 to 36, inclusive.  
 T. 2 S., R. 6 E., secs. 1 to 18, 21 to 26, inclusive, and those parts of secs. 19, 20, 27, 28, 34, 35 and 36 lying north of aqueduct right-of-way.  
 T. 3 S., R. 6 E., that part of sec. 1 lying north of aqueduct right-of-way.  
 Ts. 1 and 2 S., R. 7 E. (Partly unsurveyed).  
 T. 3 S., R. 7 E., secs. 1 to 6, 8 to 16, 23 to 24, inclusive, and those parts of secs. 7, 17, 18, 21, 22, 25 and 26 lying north of aqueduct right-of-way.  
 Ts. 1 and 2 S., R. 8 E. (partly unsurveyed).  
 T. 3 S., R. 8 E., secs. 1 to 30, 33 to 36, inclusive, and those parts of secs. 31 and 32 lying north of aqueduct right-of-way.  
 T. 4 S., R. 8 E., those parts of secs. 4 and 5 lying north of aqueduct right-of-way.  
 T. 1 S., R. 9 E., secs. 5 to 9 and 16 to 36, inclusive.  
 Ts. 2 and 3 S., R. 9 E. (partly unsurveyed).  
 Ts. 1 to 3 S., R. 10 E. (partly unsurveyed).  
 T. 5 S., R. 10 E., secs. 1 to 30, inclusive, and those parts of secs. 31 to 36 lying north of aqueduct right-of-way.  
 Ts. 1 to 4 S., R. 11 E. (partly unsurveyed).  
 T. 5 S., R. 11 E., secs. 1 to 30 and 32 to 36, inclusive, and that part of sec. 31 lying north of aqueduct right-of-way.  
 T. 6 S., R. 11 E., those parts of secs. 1 to 6 lying north of aqueduct right-of-way.  
 Ts. 1 to 5 S., R. 12 E. (partly unsurveyed).  
 T. 6 S., R. 12 E., those parts of secs. 1 to 6 lying north of aqueduct right-of-way.  
 Ts. 1 to 4 S., R. 13 E. (partly unsurveyed).  
 T. 5 S., R. 13 E., secs. 1 to 24, inclusive, and those parts of secs. 28, 29, 30 and 31 lying north of aqueduct right-of-way (partly unsurveyed).  
 Ts. 1 to 3 S., R. 14 E. (partly unsurveyed).  
 T. 4 S., R. 14 E., secs. 1 to 11, 14 to 23, 27 to 34, inclusive, and those parts of secs. 12, 13, 24, 25, 26 and 35 lying west of aqueduct right-of-way (unsurveyed).  
 Ts. 1 and 2 S., R. 15 E. (partly unsurveyed).  
 T. 3 S., R. 15 E., secs. 1 to 19, inclusive, and sec. 24; those parts of secs. 20, 21, 22, 23, 25, 26, 29, 30 and 31 lying north of aqueduct right-of-way (partly unsurveyed).  
 T. 4 S., R. 15 E., those parts of secs. 6 and 7 lying west of aqueduct right-of-way;  
 containing approximately 825,340 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

Warning against unauthorized acts.

Supervision.

39 Stat. 535.

16 U. S. C. §§ 1, 2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10<sup>th</sup> day of August, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President,

WILLIAM PHILLIPS

*Acting Secretary of State.*

## AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Protection of mi-  
gratory birds.  
Preamble.  
40 Stat. 755.  
16 U. S. C. §§ 703-  
711.

39 Stat. 1702.

WHEREAS the Secretary of Agriculture, pursuant to section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703-711), and having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteen, nineteen hundred and sixteen, has determined when, to what extent, and by what means it is compatible with the terms of said Convention to allow hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of such birds and parts thereof and their nests and eggs, and in accordance with such determinations has adopted and submitted to me regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which said further amendatory regulations he, the said Secretary of Agriculture, has determined to be suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of said birds and parts thereof and their nests and eggs, and which said further amendatory regulations are as follows:

49 Stat. 3465.

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", is amended to read as follows:

#### REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Regulations for tak-  
ing modified.

The migratory game birds for which open seasons are specified in regulation 4 hereof may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than 3 shells at one loading; they may be taken during the open season from the land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), power boat, sailboat, any boat under sail and any craft or device of any kind towed by power boat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid or use of an automobile or aircraft of any kind.

Waterfowl (except for propagation, scientific or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves are not permitted to be taken by means, aid or use, directly or indirectly, of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed; and in the taking of waterfowl, the use directly or indirectly, of live duck or goose decoys is not permitted; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a power boat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl.

Waterfowl, etc.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

49 Stat. 3466.

REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Open seasons.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., standard time, and rails and gallinules (other than coot), Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons from 7 a. m., standard time, to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222) nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Time specified.  
Regulations modified.

Daylight requirements.

Hunting on reservations, etc.

45 Stat. 1222.  
16 U. S. C. §§ 715-715r.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

Geographical limitations.  
Waterfowl.

In Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, South Dakota, Vermont, and Wisconsin, October 10 to November 8;

In Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Massachusetts, Missouri, Nebraska, Nevada, New Mexico, New York, including Long Island, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, November 1 to November 30;

In Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, November 26 to December 25;

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the 141st meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the 141st meridian to Dixons Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak Pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules  
(except coot).

Rails and gallinules (*except coot*).—The open season for rails and gallinules (*except coot*) shall be from September 1 to November 30, both dates inclusive, except as follows:

Washington and Massachusetts, October 1 to November 30;

New York, including Long Island, November 1 to November 30;

Wisconsin, October 10 to November 8;

Alabama, November 20 to January 31;

Connecticut, September 15 to November 30;

Louisiana, November 1 to January 31; and

District of Columbia, no open season.

Woodcock.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Wisconsin October 17 to October 31;

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany, and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Michigan, and North Dakota, October 1 to October 31;

That portion of New York lying south of the line above described, including Long Island, and in Delaware, New Jersey, Pennsylvania, Ohio, Indiana, and Iowa, October 15 to November 14;

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20;

Missouri, November 10 to December 10;

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15; and

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Doves.

Doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nevada, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15;

Delaware, September 15 to November 30;

Maryland, September 1 to September 30 and November 15 to December 31;

Florida (except in Dade, Broward, and Monroe Counties), and Louisiana, November 20 to January 31;

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15;

North Carolina, September 1 to September 30 and December 20 to January 31;

Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; Mississippi, in the counties of Washington, Humphreys, Holmes,



Attala, Winston, Noxubee, and all counties north thereof; and South Carolina, in the counties of Edgefield, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 1 to September 30 and December 20 to January 31;

Alabama, Georgia, Mississippi, and South Carolina, in the counties other than those aforesaid, November 20 to January 31;

That portion of Texas north or northerly of a line beginning at the Rio Grande west of Del Rio, thence to Del Rio, thence east along Southern Pacific Railway to San Antonio, thence along International Great Northern Railway to Austin, thence east along Houston and Texas Central Railway to Brazos River, thence north up Brazos River to where Beaumont branch of Gulf, Colorado & Santa Fe Railway crosses said river, thence east along Gulf, Colorado & Santa Fe Railway to intersection with Houston East & West Texas Railway at Cleveland, thence along Houston East & West Texas Railway to the Louisiana border except the counties of Bastrop, Brazos, Burleson, Fayette, Grimes, Lee, Limestone, Milam, Montgomery, Robertson, San Jacinto, Smith, Washington, and Wood, September 1 to October 31; and

That portion of Texas south of the above described boundaries and the counties hereinabove excepted, December 1 to January 16.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

Band-tailed pigeons.

California, December 1 to December 15;

Arizona and Oregon, October 16 to October 30;

New Mexico, October 1 to October 15; and

Washington, September 16 to September 30.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

49 Stat. 3460.

# REGULATION 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Bag and possession limits.

Ducks (except wood duck, canvasback duck, redhead duck, ruddy duck, and bufflehead duck).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Ducks.

Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).—Four in the aggregate of all kinds, and any person at any one time may possess not more than 4 geese and brant in the aggregate of all kinds.

Geese and brant.

Rails and gallinules (except sora and coot).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Rails and gallinules.

Sora.—Twenty-five, and any person at any one time may possess not more than 25.

Sora.

Coot.—Fifteen, and any person at any one time may possess not more than 15.

Coot.

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Wilson's snipe or jacksnipe.

Woodcock.—Four, and any person at any one time may possess not more than 4.

Woodcock.

Mourning doves.—Twenty, and any person at any one time may possess not more than 20.

Mourning doves.

Band-tailed pigeons.

Limits applicable to imports from Canada, etc.

49 Stat. 3461.

**Band-tailed pigeons.**—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons taken in Canada or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds", is amended to read as follows:

**REGULATION 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS**

Shipment, transportation, and possession.  
Additional regulations.

The migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, and parts thereof, legally taken may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada may be imported into the United States during the open season in the Province where taken, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of the State where taken or from Canada into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where killed, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State, Territory, or District to or through another State, Territory, or District or to or through a Province of the Dominion of Canada contrary to the laws of the State, Territory, or District in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State, Territory, or District from another State, Territory, or District, or Province of the Dominion of Canada, or from any State, Territory, or District into any Province of the Dominion of Canada, at a time when any such State, Territory, or District, or Province of the Dominion of Canada, into which they are transported prohibits the possession or transportation thereof.

Imports other than from Canada.

*Ante*, p. 1763.

*Migratory game birds imported from countries other than Canada.*—Migratory game birds of a species for which an open season is prescribed by regulation 4, lawfully taken in and exported from a foreign country (other than Canada, for which provision is hereinbefore made), may be transported to and possessed in any State of the United States during the open season prescribed by regulation 4 in such State for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5, if transportation and possession of such birds is not prohibited by the laws of such State or District and if imported and transported in packages marked as hereinbefore provided.

Regulation 8, "Permits to Propagate and Sell Migratory Waterfowl", is amended to read as follows:

43 Stat. 1916.

REGULATION 8.—PERMITS TO PROPAGATE AND SELL MIGRATORY WATERFOWL

Waterfowl propagation, etc.

Permit requirements modified.

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, buy, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, buy, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or bought unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

Applications for permits.

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of application for a permit to possess, sell, purchase, or transport such waterfowl, and on the 1st day of each September next following, and for each 12-month period thereafter during the life of the permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which such waterfowl and eggs were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. A

Records and reports.

report correctly setting forth this information for the preceding 12-month period shall be filed annually with the Secretary on or before September 1.

Inspection require-  
ments.

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

State permits.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act.

Limitations.

Exceptions.

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now lawfully possessed or hereafter lawfully acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese lawfully killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, bought, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for similar commercial purposes, but not for millinery or ornamental purposes.

Marking of pack-  
ages.

8. Every package in which migratory waterfowl or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of the consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and the purpose for which the waterfowl or eggs are being transported. Every package in which migratory waterfowl or their eggs are shipped wholly within a State or Territory for propagating purposes shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

49 Stat. 3462.

Regulation 9, "Permits to Collect Migratory Birds for Scientific Purposes", is amended to read as follows:

Permits for collect-  
ing specimens.

#### REGULATION 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR SCIENTIFIC PURPOSES

Scientific collec-  
tions.

Requirements.

Restrictions.

A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any

means or at any time of day not permitted by regulations 3 and 4 of these regulations.

Application for a permit shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which specimens are proposed to be taken, the purpose for which they are intended, information sufficient to show that specimens permitted to be taken will be devoted to scientific purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

Applications for permits.

A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes; or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no specimens shall be taken without a permit or purchased from or exchanged with a person not authorized by a permit to sell or exchange them. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

Effect of permits.

A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird delivered to him for mounting or like preparation by any person who has lawfully taken or lawfully possesses such bird, and may transport such specimen in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each specimen of migratory bird to him, together with the name of each species, the date of delivery, the disposition of each specimen, and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

Taxidermists.

Maintenance of books and records; inspection.

No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom issued, on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act. A person holding a permit under this regulation shall report annually to the Secretary, on or before the 10th day of January, the number of birds or nests or eggs of each species taken, bought, sold, received, possessed, mounted, exchanged, or transported during the preceding 12 months, and failure to make such report will be cause for revocation of the permit.

State permits.

Every package in which migratory birds or their nests or eggs are transported by any means whatever for scientific purposes, from one State, Territory, or the District of Columbia, to, into, or through

Marking of packages.

another State, Territory, or the District of Columbia, or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes. Every package in which migratory birds or their nests or eggs are shipped wholly within a State or Territory, for scientific purposes, shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

Amendatory regulations approved and proclaimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12 day of August, in the year of our Lord nineteen hundred and thirty-six, and of the  
[SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President  
WILLIAM PHILLIPS  
*Acting Secretary of State*

FIRE PREVENTION WEEK—1936

September 2, 1936  
[No. 2195]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Fire Prevention Week, 1936.  
Preamble.

WHEREAS the annual fire loss in the United States includes thousands of human lives taken and hundreds of millions of dollars of property values destroyed; and

WHEREAS this loss has been materially reduced by the preventive measures adopted during recent years; and

WHEREAS further improvement can be brought about by our common effort to eliminate fire hazards and to prevent destructive fires in the home, school, factory, and forest, and on the farm:

Week beginning October 4, 1936, designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the week beginning October 4, 1936, as Fire Prevention Week, and I invite the cooperation of all of our people in the further elimination of existing fire hazards to the end that the loss of life, the destruction of property, and the suffering caused thereby may be still further reduced.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2 day of September in the year of our Lord nineteen hundred and thirty-six, and of  
[SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

GOLD STAR MOTHER'S DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 3, 1936  
[No. 2196]

A PROCLAMATION

WHEREAS the preamble to Public Resolution 123, 74th Congress, approved June 23, 1936, recites:

"WHEREAS the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

"WHEREAS we honor ourselves and the mothers of America when we revere and give emphasis to the home as the fountain-head of the state; and

"WHEREAS the American mother is doing so much for the home and for the moral and spiritual uplift of the people of the United States and hence so much for good government and humanity; and

"WHEREAS the American Gold Star Mothers suffered the supreme sacrifice of motherhood in the loss of their sons and daughters in the World War;"

AND WHEREAS the said Public Resolution 123 provides:

"That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

"Sec. 2. That the last Sunday in September shall hereafter be designated and known as 'Gold Star Mother's Day', and it shall be the duty of the President to request its observance as provided for in this resolution."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate Sunday, September 27, 1936, as Gold Star Mother's Day and direct Government officials to display the United States flag on all Government buildings, and do call upon the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places on that day as a public expression of the love, honor, and reverence of the people of the United States for the American Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 3<sup>rd</sup> day of September, in the year of our Lord nineteen hundred and thirty-six, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

Gold Star Mother's Day.  
Preamble.  
49 Stat. 1895.  
36 U. S. C., Supp. II, §§ 147, 148.  
Statutory provisions.

Sunday, September 27, 1936, designated as.

## COLUMBUS DAY

September 22, 1936  
[No. 2197]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Columbus Day,  
1936.  
Preamble.  
48 Stat. 657.  
36 U. S. C. § 146.  
Statutory provisions.

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

"That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.";

October 12, 1936,  
designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate October 12, 1936, as Columbus Day and do direct that on that day the flag of the United States be displayed on all Government buildings; and, further, I do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 22nd day of September, in the year of our Lord nineteen hundred and thirty-six, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

## GENERAL PULASKI MEMORIAL DAY

September 26, 1936  
[No. 2198]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

General Pulaski  
Memorial Day.  
Preamble.

WHEREAS by the War for American Independence there was established in this land a broader freedom than the world had ever known before; and

WHEREAS it is fitting that we should hold ever in honor the heroes of that War in order that the American youth of today may be better prepared to preserve intact the liberties their forefathers won; and

WHEREAS one of the most valiant warriors in the American struggle for independence was that heroic foe of tyranny and oppression, General Casimir Pulaski, who fell mortally wounded at the siege of Savannah, while fighting for liberty, and died, on October 11, 1779; and



WHEREAS Public Resolution 110, 74th Congress, approved June 20, 1936, provides:

49 Stat. 1565.

"That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1936, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby invite the people of the United States to observe October 11, 1936, the one hundred and fifty-seventh anniversary of the glorious death of General Pulaski, as General Pulaski Memorial Day, with appropriate ceremonies in schools and churches or other suitable places, and do direct that the flag shall be displayed upon all Government buildings on that day, as a mark of respect to his memory.

Observance of anniversary of death invited.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 26<sup>th</sup> day of September, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## AMERICAN EDUCATION WEEK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 30, 1936  
[No. 2199]

### A PROCLAMATION

An opportunity for all of our people to obtain the education that will best fit them for their life work and their responsibilities as citizens is the ideal of American education. It is an ideal which has been a vital factor in our national development since 1647 when the General Court of Massachusetts enacted the historic measure providing for an elementary school in every township of fifty householders and a grammar school in every town of one hundred families "to instruct youth so farr as they may be fited for y<sup>e</sup> university". In the expansion of the nation the school has moved with the frontier, and time and experience have demonstrated that universal education is essential to national progress.

American Education Week.

It is accordingly with a feeling of earnest gratification that we note the improvement which has taken place with respect to the educational situation in the United States. Teaching positions which were eliminated during the depression years are being restored and teachers' salaries have returned to pre-depression levels in an encouraging number of school systems, colleges, and universities. There has been a steady increase in the attendance of students at elementary schools, high schools, and colleges.

It is particularly appropriate, therefore, that a time be set apart this year for a widespread and understanding observance of the benefits that flow from a continuing advancement of the standards of American education.

Week beginning  
November 9, 1936,  
designated as.

NOW, THEREFORE, I, Franklin Delano Roosevelt, President of the United States, do by this proclamation designate the week beginning Monday, November 9, 1936, as American Education Week and urge that it be observed throughout the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 30th day of September, in the year of our Lord nineteen hundred and thirty-six, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—MONTANA

October 7, 1936

[No. 2200]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Red Rock Lakes  
Migratory Waterfowl  
Refuge, Mont.  
Preamble.  
40 Stat. 755.  
16 U. S. C. §§ 703-  
711.

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT CERTAIN LANDS AND WATERS ADJACENT TO AND IN THE VICINITY OF THE RED ROCK LAKES MIGRATORY WATERFOWL REFUGE, MONTANA.

Regulation designating certain areas as sanctuaries.  
39 Stat. 1702.

I, M. L. Wilson, Acting Secretary of Agriculture, after consideration of the exigencies of the migratory waterfowl and other migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, resident upon and resorting to the Red Rock Lakes Migratory Waterfowl Refuge in Beaverhead County, Montana, established by Executive Order No. 7023 of April 22, 1935, and enlarged by Executive Order No. 7172 of September 4, 1935, have determined that to allow the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs in or on any lands or waters in the said County embraced within the exterior boundary hereinafter described and designated "Area closed to hunting" on the diagram hereto attached and made a part of this regulation, which said lands and waters at the date hereof are adjacent to or in the vicinity of, but not incorporated in, the said Red Rock Lakes Migratory Waterfowl Refuge, would defeat the protection sought to be extended to such migratory waterfowl and other migratory birds by the establishment of the said refuge and, therefore, would be incompatible with the terms of the said Convention:

WHEREFORE, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regula-

Hunting, etc., forbidden.  
40 Stat. 755.  
16 U. S. C. §§ 703-  
711.

tions, the aforesaid lands and waters are designated as a closed area and the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs therein or thereon is not permitted.

All lands and waters within the aforesaid boundaries withdrawn, set apart, and designated, in part, as the Red Rock Lakes Migratory Waterfowl Refuge by the aforesaid Executive Orders are closed by virtue of said Orders, and the Acts of Congress thereunto appertaining, to entry for any purpose except in accordance with regulations of the Secretary of Agriculture, and all hunting either of migratory or non-migratory birds or wild life of any kind on said lands and waters is forbidden by law.

DESCRIPTION OF THE BOUNDARY ABOVE REFERRED TO  
PRINCIPAL MERIDIAN

Description.

Beginning at the northwest corner of sec. 35, T. 13 S., R. 2 W.,  
Thence from said initial point,  
Easterly on line line<sup>1</sup> between secs. 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 2 W.;  
Thence on section lines in T. 13 S., R. 1 W.,  
Easterly between secs. 30 and 31;  
Southerly between secs. 31 and 32 to the south boundary of T. 13 S., R. 1 W.;  
Thence easterly on said boundary to the one-quarter corner of secs. 32 and 5;  
Thence on subdivision lines of sec. 5, T. 14 S., R. 1 W.,  
Southerly to the center one-quarter corner;  
Easterly to the one-quarter corner of secs. 4 and 5;  
Thence northerly on line between secs. 4 and 5 to the north one-sixteenth corner of secs. 4 and 5;  
Thence on subdivisional lines in sec. 4,  
Easterly on south boundary of lots 4, 3, and 2;  
Northerly between lots 1 and 2 to the east one-sixteenth corner of sec. 4 on the north boundary of T. 14 S., R. 1 W.;  
Thence westerly on said boundary line to the southwest corner of sec. 33, T. 13 S., R. 1 W.;  
Thence in T. 13 S., R. 1 W., northerly on line between secs. 32 and 33, and secs. 28 and 29, to the one-quarter corner thereof;  
Thence on subdivisional lines in sec. 28,  
Easterly to the center one-quarter corner;  
Southerly to the one-quarter corner of secs. 28 and 33;  
Thence on section lines,  
Easterly between secs. 28 and 33;  
Northerly between secs. 27 and 28 to the south one-sixteenth corner thereof;  
Thence on subdivisional lines in sec. 27,  
Easterly to the southwest one-sixteenth corner;  
Southerly to the west one-sixteenth corner of secs. 27 and 34;  
Thence easterly on lines between secs. 27 and 34, 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 1 W.;  
Thence southerly on the east boundary of Tps. 13 and 14 S., R. 1 W. to the north one-sixteenth corner of secs. 7 and 12, T. 14 S., R. 1 W. and 1 E.;  
Thence on subdivisional lines in sec. 12, T. 14 S., R. 1 W.,  
Westerly to the northeast one-sixteenth corner;  
Southerly to the southeast one-sixteenth corner;  
Easterly to the east boundary of T. 14 S., R. 1 W.;

<sup>1</sup> So in original.

Thence southerly on east boundary of T. 14 S., R. 1 W., to the north one-sixteenth corner of secs. 13 and 18;

Thence on subdivisional lines in sec. 18, T. 14 S., R. 1 E.,

Easterly to the north center one-sixteenth corner;

Northerly to the one-quarter corner of secs. 7 and 18;

Thence on section lines,

Easterly between secs. 7 and 18;

Southerly between secs. 17 and 18 to the one-quarter corner thereof;

Thence westerly on center line through sec. 18 to the west boundary of T. 14 S., R. 1 E.;

Thence on subdivisional lines in sec. 13 T. 14 S., R. 1 W.,

Westerly to the west center one-sixteenth corner;

Southerly to the southwest one-sixteenth corner;

Easterly to the southeast one-sixteenth corner;

Southerly to the east one-sixteenth corner of secs. 13 and 24;

Thence easterly on line between secs. 13 and 24 to the east boundary of T. 14 S., R. 1 W.;

Thence southerly on east boundary of T. 14 S., R. 1 W., to the south one-sixteenth corner of secs. 25 and 30;

Thence on subdivisional lines in sec. 25 T. 14 S., R. 1 W.,

Westerly to the southeast one-sixteenth corner;

Northerly to the east center one-sixteenth corner;

Westerly to the one-quarter corner of secs. 25 and 26;

Thence on subdivisional lines in sec. 26,

Westerly to the east center one-sixteenth corner;

Northerly to the east one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 23,

Northerly to the southeast one-sixteenth corner;

Westerly to the south center one-sixteenth corner;

Northerly to the north center one-sixteenth corner;

Westerly to the meander corner of Lots 1 and 2, on the easterly shore of Upper Red Rock Lake, and continuing southwesterly with the meanders thereof to the meander corner of secs. 22 and 23;

Thence southerly on line between secs. 22 and 23 to the south one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 23,

Easterly to the southwest one-sixteenth corner;

Southerly to the west one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 26,

Southerly to the northwest one-sixteenth corner;

Westerly to the north one-sixteenth corner of secs. 26 and 27;

Thence on subdivisional lines in sec. 27,

Westerly to the north center one-sixteenth corner;

Northerly to the one-quarter corner of secs. 22 and 27;

Thence on section lines,

Westerly between secs. 22 and 27;

Southerly between secs. 27 and 28 to the north one-sixteenth corner thereof;

Thence westerly on subdivisional line through sec. 28 to the north one-sixteenth corner of secs. 28 and 29;

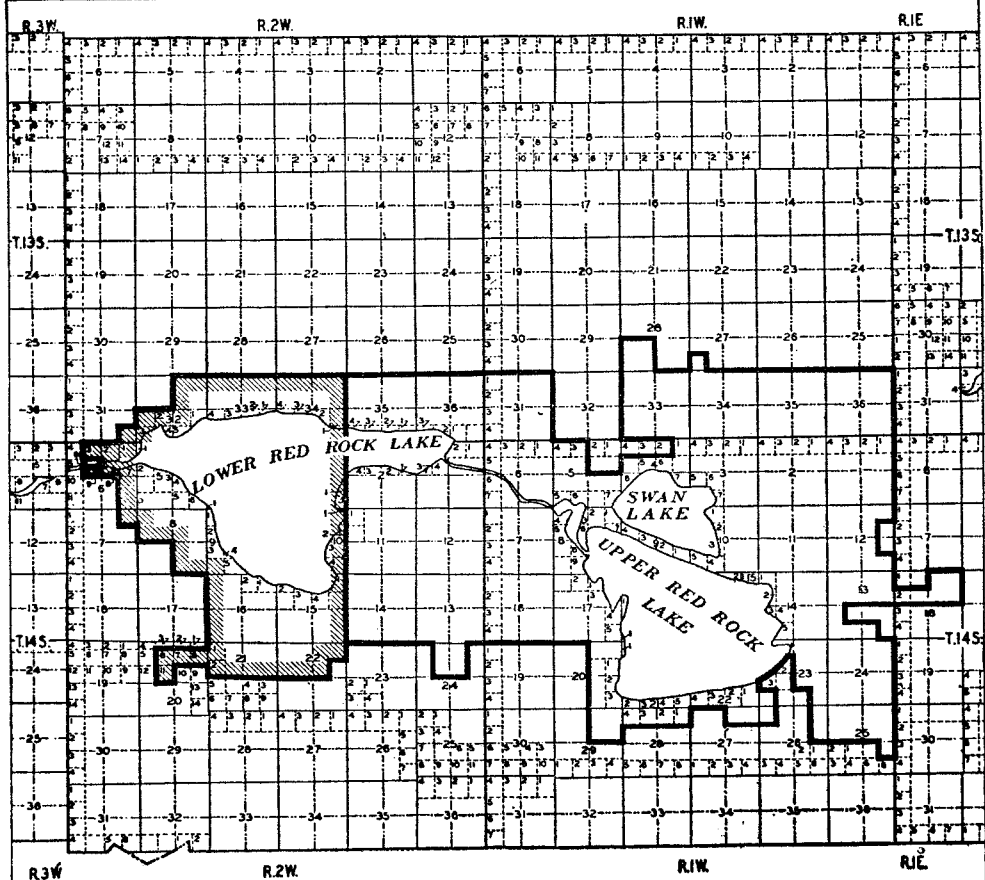
Thence southerly on line between secs. 28 and 29 to the east one-quarter corner of sec. 29;

Thence on subdivisional lines in sec. 29,



Westerly to the center one-quarter corner;

Northerly to the one-quarter corner of secs. 20 and 29;

Thence northerly on subdivisional line through sec. 20 to the one-quarter corner of secs. 17 and 20;



COMPILED AT WASHINGTON, D.C. AUGUST 1936, IN THE  
DIVISION OF LAND ACQUISITION, RUDOLPH DIEFFENBACH,  
CHIEF, UNDER DIRECTION OF A. A. RIEMER, CHIEF, SECTION  
OF SURVEYS & MAPS, FROM SURVEYS & MAPS BY UNITED  
STATES GENERAL LAND OFFICE & THE BIOLOGICAL SURVEY.

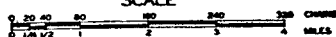
LEGEND  
 PUBLIC SHOOTING GROUND  
 AREA CLOSED TO HUNTING

UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF BIOLOGICAL SURVEY  
IRAN N. GABRIELSON, CHIEF

# RED ROCK LAKES MIGRATORY WATERFOWL REFUGE BEAVERHEAD COUNTY MONTANA

1936

SCALE



MAP REFERRED TO IN PROCLAMATION ORDER NO. 2200 DATED, OCTOBER 7, 1936

Thence westerly on line between secs. 17 and 20, and secs. 18 and 19 to the west boundary of T. 14 S., R. 1 W.;

Thence westerly between secs. 13 and 24, T. 14 S., R. 2 W., to the east one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 24,

Southerly to the east center one-sixteenth corner;

Westerly to the west center one-sixteenth corner;

Northerly to the west one-sixteenth corner of secs. 13 and 24;

Thence on section lines,

Westerly between secs. 13 and 24, and secs. 14 and 23;

Northerly between secs. 14 and 15, 10 and 11, and secs. 2 and 3 to the meander corner thereof, located on the southeast bank of Lower Red Rock Lake;

Thence northerly across Lower Red Rock Lake, passing into T. 13 S., R. 2 W., to the meander corner of secs. 34 and 35, located on the north bank of said lake;

Thence northerly on line between secs. 34 and 35 to place of beginning.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Convention and the Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

Regulation  
proved and  
claimed. ap-  
pro-

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this Seventh day of October, in the year of our Lord nineteen hundred and thirty-six,  
[SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

WILBUR J. CARR

*Acting Secretary of State.*

## OUACHITA NATIONAL FOREST—ARKANSAS AND OKLAHOMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 12, 1936

[No. 2201]

### A PROCLAMATION

WHEREAS certain lands within areas adjoining the Ouachita National Forest, in Arkansas and Oklahoma, have been acquired by the United States under authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

Ouachita National  
Forest, Ark. and Okla.  
Preamble.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 11, 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all

Area enlarged.

26 Stat. 1103; 30  
Stat. 36; 36 Stat. 963.  
16 U. S. C. §§ 471, 473.  
16 U. S. C. § 521.

lands of the United States within the following-described areas are included in and reserved as a part of the Ouachita National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon acquisition of title thereto be reserved and administered as a part of the said National Forest:

## Description.

## FIFTH PRINCIPAL MERIDIAN—ARKANSAS

- T. 1 S., R. 17 W., secs. 2 to 11, inclusive, and  
secs. 14 to 23, inclusive.
- T. 1 N., R. 17 W., secs. 2 to 11, inclusive;  
secs. 14 to 23, inclusive, and  
secs. 26 to 35, inclusive.
- T. 2 N., R. 17 W., secs. 26 to 29, inclusive, and  
secs. 32 to 35, inclusive.
- T. 1 S., R. 18 W., secs. 1 to 24, inclusive;  
secs. 27 to 32, inclusive, and  
N½ sec. 33.
- T. 1 N., R. 18 W., Entire
- T. 2 S., R. 19 W., secs. 1 to 12, inclusive;  
secs. 16 to 18, inclusive, and  
W½ sec. 19.
- T. 1 S., R. 19 W., Entire
- T. 1 N., R. 19 W., All except parts hitherto placed under national  
forest administration.
- T. 2 S., R. 20 W., secs. 1, 2, 5, 6;  
secs. 10 to 15, inclusive, and  
secs. 23 and 24.
- T. 1 S., R. 20 W., Entire
- T. 1 N., R. 20 W., All except parts hitherto placed under national  
forest administration.
- T. 4 S., R. 23 W., SW¼ sec. 7, and N½ and W½ of SW¼ sec. 18.
- T. 3 S., R. 23 W., All except parts hitherto placed under national  
forest administration.
- T. 2 S., R. 23 W., All except parts hitherto placed under national  
forest administration.
- T. 1 S., R. 23 W., All except parts hitherto placed under national  
forest administration.
- T. 1 N., R. 23 W., All except parts hitherto placed under national  
forest administration.
- T. 4 S., R. 24 W., secs. 1 to 18, inclusive;  
N½ secs. 19 to 23, inclusive; sec. 24, and E½,  
N½ NW¼, SE¼ NW¼, NE¼ SW¼ sec. 25.
- T. 3 S., R. 24 W., All except parts hitherto placed under national  
forest administration.
- T. 2 S., R. 24 W., All except parts hitherto placed under national  
forest administration.
- T. 1 S., R. 24 W., All except parts hitherto placed under national  
forest administration.
- T. 1 N., R. 24 W., All except parts hitherto placed under national  
forest administration.
- T. 4 S., R. 25 W., secs. 1 to 6, inclusive;  
secs. 8 to 17, inclusive;  
secs. 20 to 24, inclusive;  
secs. 26 to 30, inclusive;
- T. 4 S., R. 25 W., N½ and SE¼ sec. 7, and W½SW¼ sec. 19.
- T. 3 S., R. 25 W., secs. 31 to 36, inclusive.
- T. 2 S., R. 25 W., Entire township except parts hitherto placed  
under national forest administration.

- T. 1 S., R. 25 W., All except parts hitherto placed under national forest administration.
- T. 4 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 2 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 1 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 2 S., R. 27 W., All except parts hitherto placed under national forest administration.
- T. 1 S., R. 27 W., All except parts hitherto placed under national forest administration.
- T. 4 S., R. 29 W., S½ secs. 19 and 20, and secs. 27 to 30, inclusive.
- T. 4 S., R. 30 W., S½ secs. 23, 24, 27 and 28, and secs. 25 and 26.
- T. 2 N., R. 30 W., secs. 5 to 10, inclusive, and secs. 15 to 18, inclusive.
- T. 3 N., R. 30 W., N½ secs. 1 to 6, inclusive; S½ secs. 16, 17 and 18, and secs. 19, 20, 21, 29, 30, 31 and 32.
- T. 4 N., R. 30 W., secs. 18 to 28, inclusive; secs. 33 to 36, inclusive, and SE¼ sec. 32.
- T. 4 S., R. 31 W., secs. 3, 4, 9, 10, 11, 14, 15, 16; SE¼ and W½ sec. 2, and N½ secs. 21, 22 and 23, and NW¼ sec. 24.
- T. 3 S., R. 31 W., secs. 3, 4, 9, 10, 16, 21, 27, 28, 33 and 34;  
W½ sec. 15;  
W½ and SE¼ sec. 22;  
W½ secs. 26 and 35.
- T. 2 S., R. 31 W., S½ secs. 33 and 34, and SW¼ sec. 35.
- T. 1 N., R. 31 W., sec. 6, and N½ sec. 7.
- T. 2 N., R. 31 W., secs. 1, 2, 3;  
secs. 8 to 19, inclusive, and secs. 30 and 31.
- T. 3 N., R. 31 W., All except parts hitherto placed under national forest administration.
- T. 4 N., R. 31 W., secs. 13, 14;  
secs. 19 to 24, inclusive;  
secs. 29 to 30, and S½ sec. 15.
- T. 1 N., R. 32 W., secs. 1 to 12, inclusive.
- T. 2 N., R. 32 W., All except parts hitherto placed under national forest administration.
- T. 3 N., R. 32 W., All except parts hitherto placed under national forest administration.
- T. 4 N., R. 32 W., secs. 25, 26, 27, 28, 31, 32 and 33;  
N½ and SW¼ sec. 34, and NW¼ sec. 35.
- T. 1 N., R. 33 W., fractional secs. 1 and 12.
- T. 2 N., R. 33 W., fractional secs. 1 and 36.
- T. 3 N., R. 33 W., fractional sec. 1;  
N½ fractional sec. 12;  
S½ fractional sec. 13;  
fractional secs. 24, 25, and 36.
- T. 4 N., R. 33 W., fractional sec. 36.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Rights, etc., not affected.



IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# ANGELINA NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

October 13, 1936  
[No. 2202]

Angelina National  
Forest, Tex.  
Preamble.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Angelina National Forest:

Reserving, etc., des-  
ignated lands for na-  
tional forest.  
26 Stat. 1103.  
16 U. S. C. § 471.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Angelina National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Angelina National Forest:

16 U. S. C. § 521.

Description.

Beginning at a point on the right bank of Ayish Bayou and opposite the point of confluence with the Angelina River; thence up and with the meanders of the right bank of Ayish Bayou, northerly 3157.00 chains to the fourth corner of the Wm. White Survey, Abstract 308; thence with the north line of the Wm. White Survey, S 89°30' W 82.50 chains to corner 19 of Tract A2k-I, property of the United States; thence with three (3) lines of said tract, North 21.30 chains, West 9.80 chains, North 20.10 chains to Monument-A177; thence S 89°45' W 27.90 chains to a point on the south line of the John H. Kirby Survey No. 2, Abstract No. 567; thence through the said John H. Kirby Survey No. 2, N 0°55' W 58.80 chains to corner 32 of Tract A2i-III, property of the United States; thence with six (6) lines of said tract, N 0°55' W 144.00 chains, S 89°15' W 39.30 chains, N 0°50' W 36.30 chains, S 89°10' W 167.50 chains, S 1°00' E 70.70 chains, N 65°00' W 45.00 chains to corner 26 of said tract; thence with Tracts A2i-III and A2i-VI, southwesterly 103.10 chains to corner 21 of Tract A2i-III; thence three (3) lines of the Morgan Berry Survey, Abstract No. 59, passing corners 20 and 3 of Tract A2i-III to corner 2 of said tract; thence with Tract A2i-III, S 53°35' W 202.30 chains to corner 1 of said tract; thence with the north-west line of the John Johnson Survey, Abstract No. 170, southwesterly 228.00 chains to a point on the left bank of the Attoyaco

River; thence crossing the river and running northerly up and with the right bank 591.00 chains to a point opposite and easterly of the beginning corner of the Remigio Totin Survey, Abstract No. 56; thence with the south line of the Remigio Totin Survey, westerly 139.00 chains to Monument-A224, identical with corner 1 of Tract A3-III, property of the United States; thence with two (2) lines of said tract, N 2°00' E 53.14 chains, westerly 291.50 chains passing Monument-A466 to a point in the west line of said survey identical with Monument-A430; thence S 1°50' W 22.71 chains to corner 23 of said tract, identical with the seventh corner of the Abraham Kuykendall Survey, Abstract No. 37; thence with three (3) lines of said Abraham Kuykendall Survey, S 89°05' W 93.37 chains, S 27°10' W 160.08 chains, S 22°10' E 162.18 chains to the beginning corner thereof in Durazno Bayou and identical with Monument-A446; thence down and with said Bayou to the confluence with the Angelina River; thence down and with the left bank of Angelina River 665.00 chains to a point opposite and northeasterly of the beginning corner of the Willafred Stanley Survey, Abstract No. 48; thence crossing the Angelina River and with the southeast line of the Willafred Stanley Survey southwesterly 434.00 chains to the second corner of said survey; thence with the southwest line of said survey and passing corners 19 and 18 of Tract A2-I, property of the United States, northwesterly 105.00 chains to the third corner of said Willafred Stanley survey; thence with the northwest line of said survey and passing corners 2 and 1 of Tract A2e, property of the United States, northeasterly 65.50 chains to a point south of the sixth corner of the Nicholas White Survey, Abstract No. 655; thence within said Nicholas White Survey north 19.50 chains to the sixth corner of said survey; thence two (2) lines of the J. T. P. Irvine Survey, Abstract No. 368, S 89°10' W 57.56 chains, N 0°50' W 8.42 chains to a point in the west line of said survey; thence with two (2) lines within the Cyrus Ivy Survey, Abstract No. 367, S 89°10' W 15.80 chains, N 76°10' W 17.50 chains to corner 6 of Tract A2-I, property of the United States; thence with ten (10) lines of said Tract A2-I, S 89°15' W 51.02 chains, South 10.37 chains, West 15.32 chains, South 25.97 chains, S 89°45' W 79.00 chains, S 1°20' E 51.75 chains, West 15.64 chains, S 1°25' E 170.60 chains, N 89°10' E 24.29 chains, S 1°00' E 39.95 chains to corner 41 thereof; thence with said Tract A2-I, N. 89°25' E about 47.00 chains, crossing the Texas and New Orleans Railroad right-of-way to a point in the northeast line thereof; thence with said right-of-way line, southeasterly 80.00 chains to the west line of the Daniel McGraw Survey, Abstract No. 448; thence southerly 15.00 chains to the third corner of said survey; thence with the south line of said survey easterly 20.00 chains to the fifth corner of the Aminta Shields Survey, Abstract No. 556; thence with the west line of said survey southeasterly 54.00 chains to the fourth corner thereof and on the north line of the Martin L. Baker Survey, Abstract No. 740; thence with the north line of said survey westerly 34.50 chains to the fourth corner thereof; thence with four (4) lines of the Martin L. Baker Survey southerly 34.43 chains, easterly 11.20 chains, southeasterly 56.57 chains, easterly 38.39 chains, to the eighth corner thereof in the north line of the William<sup>1</sup> Johnson Survey, Abstract No. 371; thence with three (3) lines of said Williams<sup>1</sup> Johnson Survey easterly 9.00 chains, southerly 47.00 chains, westerly 1.68 chains to the third corner of the Stephen J. Stanley Survey, Abstract No. 47; thence with the east line of said Stephen J. Stanley Survey south-

<sup>1</sup> So in original.

erly 282.00 chains to the second corner thereof; thence westerly with the south line of said survey to the center of Shawnee Creek; thence southerly down and with Shawnee Creek to the point of confluence with the Neches River; thence easterly down with the left bank of the Neches River 2000.00 chains to the eighth corner of the Wm. B. Green Survey, Abstract No. 155; thence with five (5) lines of said survey easterly 131.15 chains, southerly 62.71 chains, easterly 42.34 chains, northerly 64.06 chains, easterly 111.29 chains to a point on the right bank of the Angelina River; thence up and with the right bank of the Angelina River 1050.00 chains to a point opposite and southerly of the point of beginning; thence northerly crossing the Angelina River 2.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13<sup>th</sup> day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL  
*Secretary of State.*

# DAVY CROCKETT NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

October 13, 1936  
[No. 2203]

Davy Crockett National Forest, Tex.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Davy Crockett National Forest:

Reserving, etc., designated lands for national forest.  
26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Davy Crockett National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Davy Crockett National Forest:

Description.

Beginning in Trinity County and on the right bank of the Neches River at a point identical with the beginning corner of Tract K2a-I as surveyed by the U. S. Forest Service; thence with said tract, West 23.80 chains to a point north of the beginning corner of Tract K2u, property of the United States; thence crossing the James A. Lee survey, Abstract No. 389, South 57.70 chains to the beginning corner of Tract K2u; thence with three (3)



lines of said tract, South 45.00 chains, S. 88°30' W. 23.20 chains, N. 1°30' W 45.50 chains to corner 4 thereof; thence with two (2) lines of the Abraham Anding survey, Abstract No. 54, West 56.00 chains to the northwest corner thereof, South 25.70 chains to the northeast corner of the B. B. B. & C. R. R. Co. survey, Abstract No. 101; thence with two (2) lines of said B. B. B. & C. R. R. Co. survey, West 80.00 chains to the northwest corner thereof, South 80.00 chains to the southwest corner thereof and on the east line of the M. D. White survey, Abstract No. 661; thence with three (3) lines of said M. D. White survey, South 67.55 chains to the southeast corner thereof, West 47.35 chains to the southwest corner thereof, North 13.75 chains to the southeast corner of the John D. Windham survey, Abstract No. 653; thence along the south boundaries of the following named surveys: John D. Windham, *supra*, Jesse James, Abstract No. 364; Jesse James, Abstract No. 366; Thomas Trevathan, Abstract No. 596; and John Conklin, Abstract No. 140, westerly 240 chains to the northwest corner of the Thomas Trevathan survey, Abstract No. 598, on an east line of the J. Poitevent survey, Abstract No. 507; thence with four (4) lines of the said J. Poitevent survey, South 40.00 chains to the ninth corner of said survey, East 10.70 chains, South 48.50 chains, West 26.30 chains to the sixth corner of said survey, identical with the northeast corner of the J. Poitevent survey, Abstract No. 508; thence with two (2) lines of the said J. Poitevent survey, West 83.00 chains to the northwest corner of said survey, South 77.00 chains to the southwest corner thereof and on the east line of the J. Poitevent survey, Abstract No. 509; thence with the east line of said J. Poitevent survey, South 17.50 chains to the southeast corner of said survey, identical with the sixth corner of the B. G. O'Neal survey, Abstract No. 940; thence continuing and crossing the said B. G. O'Neal survey, South 10.00 chains to a point on a south line of said B. G. O'Neal survey, between the eighth and ninth corners thereof; thence with four (4) lines of said survey, East 13.40 chains, South 42.10 chains, East 1.20 chains, South 40.00 chains to the twelfth corner of said survey on the north line of the Juan Carmona survey, Abstract No. 6; thence with two (2) lines of said Juan Carmona survey, westerly 26.00 chains, to the northwest corner thereof, southerly 83.00 chains to the sixth corner of the M. S. Hoffman survey, Abstract No. 260; thence with three (3) lines of the M. S. Hoffman survey, West 91.34 chains, North 57.75 chains, West 44.20 chains to the northwest corner thereof and on the east line of the Heirs of George Wilson survey, Abstract No. 631; thence with two (2) lines of said survey, northerly 15.00 chains to the northeast corner thereof, westerly 43.00 chains to the east line of the Bryant S. Mangum survey, Abstract No. 428; thence with two (2) lines of the Bryant S. Mangum survey, southerly 8.00 chains to the southeast corner thereof and identical with Monument-K399, S 89°30' W 41.50 chains to the southwest corner thereof and identical with the third corner of the Richard Gregory survey, Abstract No. 233; thence with two (2) lines of the Richard Gregory survey, North 40.40 chains to the second corner thereof, West 70.90 chains to the beginning corner thereof and identical with the fourth corner of the Solomon Adams survey, Abstract No. 64; thence with four (4) lines of the Solomon Adams survey, South 82.20 chains to corner 3 of Tract K2f, property of the United States, East 29.70 chains to corner 4 of said tract, S 0°30' W 20.20 chains to corner 5, West 38.30 chains to corner 6 of said Tract K2f, identical with the eighth corner of said Solomon Adams survey and on the southeast line of the Ignacio de los Santos Coy

survey, Abstract No. 13; thence with said survey S 30°00' W 147.00 chains to State Highway No. 106; thence with said highway N. 67°30' W 60.00 chains to Tract K2c, property of the United States and at a point between corners 12 and 13 thereof; thence with three (3) lines of said Tract K2c, passing corners 13 and 14 thereof, to State Highway No. 106; thence with said highway, N. 67°30' W 98.00 chains to said Tract K2c, at a point between corners 27 and 28 thereof; thence with ten (10) lines of Tract K2c, passing corners 28 to 36 inclusive, to corner 37 which is identical with Monument-K455; thence with two (2) lines within the Maria Guadalupe de Castro survey, Abstract No. 9, N. 49°45' W 48.00 chains to corner 4 of tract K2d, property of the United States, N. 60°00' W 108.00 chains to a point in line of tract K2-III, property of the United States and at a point between corners 44 and 45 thereof; thence with twenty (20) lines of said tract K2-III, passing corners 45 to 62 inclusive, 428.10 chains to corner 63 of said tract; thence N. 29°30' E 64.00 chains to corner 66 of Tract K2-III, thence with two (2) lines of Tract K2-III, passing corner 67, 118.80 chains to corner 68 and identical with the southeast corner of the R. Miller survey, Abstract No. 414; thence with two (2) lines of said R. Miller survey, N. 60°00' W 61.54 chains, N. 10°00' E 12.33 chains to the eighth corner thereof and on the southwest line of the A. E. Westall survey, Abstract No. 48; thence with the southwest line of said A. E. Westall survey, N. 79°15' W 142.00 chains to the beginning corner of said survey, identical with corner 84 of Tract K2-III; thence with the northwest line of the A. E. Westall survey, northeasterly 275.00 chains to corner 92 of Tract K2-III; thence with five (5) lines of Tract K2-III, passing corners 93 to 96 inclusive, 155.10 chains to corner 97 on the northwest line of the John D. Stepp survey, Abstract No. 567; thence with two (2) lines of the said John D. Stepp survey, N. 10°00' E 21.50 chains, S. 80°00' E 40.00 chains to the third corner thereof and on the northwest line of the N. E. Morris survey, Abstract No. 431; thence with three (3) lines of the N. E. Morris survey, N. 10°00' E 25.00 chains, S. 80°00' E 40.00 chains, S. 10°00' W 9 chains to the sixth corner of the John D. Stepp survey; thence with a north line of said John D. Stepp survey and the Christopher Fox survey, Abstract No. 215, southeasterly 21.00 chains to corner 102 of Tract K2-III; thence with four (4) lines of Tract K2-III, passing corners 103, 104 and 105 to corner 106 on the south line of the James Perry survey, Abstract No. 487; thence S. 81°30' E 10.00 chains to the third corner of the James Perry survey; thence along the east line of the said survey northerly 46.30 chains to the fourth corner thereof; thence with two (2) lines of the W. W. Davis survey, Abstract No. 182, North 45.10 chains, N. 80°00' W 32.20 chains to the fourth corner thereof; thence northwesterly 2.00 chains to corner 58 of Tract K2b, property of the United States; thence with four (4) lines of Tract K2b, passing corners 59, 60, and 61, 61.70 chains to corner 62 of Tract K2b on the southwest line of the W. J. Ward survey, Abstract No. 676; thence with the southwest and northwest lines of said W. J. Ward survey 58.00 chains to corner 65 of Tract K2b; thence N. 10°15' E 40.00 chains to corner 7 of Tract K1-V, property of the United States; thence with four (4) lines of Tract K1-V, passing corners 8, 9, and 10 to corner 11 thereof and on the south line of the Mary Henderson survey, Abstract No. 496; thence with two (2) lines of said Mary Henderson survey West 45.80 chains to the southwest corner thereof, North 48.00 chains to the beginning corner of the Henry Harris survey, Abstract No. 1205; thence with the northwest line of

said Henry Harris survey S.  $80^{\circ}00'$  W 69.40 chains to the second corner of the T. J. Routon survey, Abstract No. 1346; thence with the southwest and northwest lines of said T. J. Routon survey 45.30 chains to the fifth corner thereof and on the southeast line of the Jacob Perkins survey, Abstract No. 850; thence S.  $80^{\circ}00'$  W 71.70 chains along the southeast lines of the Jacob Perkins and Amanda Johnson surveys to the second corner of the Amanda Johnson survey, Abstract No. 646, and on the northeast line of the Enoch Broxon survey, Abstract No. 218; thence with three (3) lines of said Enoch Broxon survey S  $10^{\circ}00'$  E 8.40 chains, West 37.80 chains, North 9.30 chains to a point on the west line of said survey identical with the southeast corner of the Mary Ann Denson survey, Abstract No. 337; thence west with the south line of said Mary Ann Denson survey to the beginning corner thereof and on the east line of the Caroline E. Milon survey, Abstract No. 716; thence with the said east line of the Caroline E. Milon survey north 69.70 chains to corner 18 of Tract K1-II, property of the United States; thence with Tract K1-II passing corners 19 to 22 inclusive 242.70 chains to corner 23 of said tract which is identical with corner 13 of Tract K1-I; thence with Tract K1-I S  $0^{\circ}30'$  E 86.70 chains to the beginning corner thereof and identical with the third corner of the M. D. T. Hallmark survey, Abstract No. 497; thence with two (2) lines of the M. D. T. Hallmark survey south 56.80 chains, N.  $80^{\circ}00'$  W 43.80 chains to corner 1 thereof identical with the fifth corner of the Edward Tyler survey, Abstract No. 1019; thence with two (2) lines of the Edward Tyler survey S  $65^{\circ}00'$  W 153.90 chains, S  $0^{\circ}15'$  E 94.80 chains to corner 2 of Tract K1c; thence with sixteen (16) lines of said Tract K1c passing corners 3 to 17 inclusive 517.90 chains to a point south of corner 20; thence north 36.70 chains to corner 20 of Tract K1c; thence with two (2) lines of Tract K1c passing in line corner 21, 275.20 chains to corner 22 on the south line of the John Satterwhite survey, Abstract No. 978; thence with two (2) lines of the John Satterwhite survey east 6.00 chains, N.  $65^{\circ}30'$  E 32.00 chains passing in line corner 3 of Tract K1d to the beginning corner of said survey; thence along the south lines of the J. B. Hallmark survey, Abstract No. 493, and the Preston Pevehouse survey, Abstract No. 849, passing corners 4, 6, and 7 of Tract K1d, northeasterly 94.50 chains to the beginning corner of the Preston Pevehouse survey; thence along the east line of the Preston Pevehouse survey, passing corner 6 of Tract K1-I, northerly 37.40 chains to corner 7 thereof; thence with five (5) lines of Tract K1-I passing corners 8 to 11 inclusive, 125.40 chains to corner 12 identical with corner 24 of Tract K1-II; thence eleven (11) lines with Tract K1-II and Tract K1-X, passing corners 25 to 32 inclusive of Tract K1-II and corners 1 and 2 of Tract K1-X and corner 34 of Tract K1-II, 319.80 chains to corner 35 of said Tract K1-II on a northeast line of the George W. Hallmark survey, Abstract No. 41; thence with two (2) lines of the George W. Hallmark survey N.  $25^{\circ}00'$  W 110.60 chains, northeasterly 5.00 chains to corner 47 of Tract K1-II; thence with six (6) lines of said Tract K1-II, passing corners 48 to 52 inclusive, 162.70 chains to corner 53 of said tract and on the east line of the Levi Speer survey, Abstract No. 926; thence with the Levi Speer survey North 50.90 chains to the northeast corner thereof, identical with the eighth corner of the Burnell Johnson survey, Abstract No. 650; thence with six (6) lines of the Burnell Johnson survey, passing the seventh, sixth, fifth, fourth, and third corners to the second corner thereof identical with corner 54 of Tract K1-III; thence along the west lines

of the William E. Hays survey, Abstract No. 501, William McLain Goodwin survey, Abstract No. 433, and William H. Hays survey, Abstract No. 512, northerly 234.60 chains to the second corner of the said William H. Hays survey; thence with the north line of the William H. Hays survey east 40.00 chains to the third corner thereof; thence with the west line of the George W. Julien survey, Abstract No. 640, north 8.75 chains to the south line of the R. R. Russell survey, Abstract No. 76; thence with the south line of the R. R. Russell survey easterly 113.00 chains to a point south of corner 10 of Tract K1n; thence within the said R. R. Russell survey north 14 chains to corner 10 of said Tract K1n; thence with three (3) lines of Tract K1n, passing corners 11 and 12, 84.90 chains to corner 13 of said tract in the east line of the R. R. Russell survey; thence with the east line of the R. R. Russell<sup>1</sup> survey northerly 54.00 chains to the beginning corner of the Francis B. Conner survey, Abstract No. 24; thence with the Francis B. Conner survey N. 60°00' E 285.00 chains to the second corner thereof; thence N. 37°15' W 172.00 chains to the beginning corner of the James Patton survey, Abstract No. 808; thence with the southeast line of the James Patton survey S. 60°00' W 105.00 chains to corner 16 of Tract K1b-V; thence with eighteen (18) lines of Tracts K1b-V and K1b-XIV, passing corners 17 to 28 inclusive of Tract K1b-V, corner 2 of Tract K1b-XIV and corners 29 to 32 of Tract K1b-V, 582.13 chains to corner 33 of Tract K1b-V; thence N. 45°00' W 21.50 chains to State Highway No. 21; thence with said highway southwesterly 200.00 chains to the northeast line of the Jacob Masters, Jr. survey, Abstract No. 55; thence with the northeast line of said Jacob Masters, Jr. survey N. 45°00' W 108.00 chains to the north corner of said survey on the southeast line of the Elizabeth Norrod survey, Abstract No. 794; thence with two (2) lines of said Elizabeth Norrod survey S. 45°00' W 20.00 chains, N. 45°00' W 40.00 chains to corner 37 of Tract K1b-VI; thence passing corner 4 of Tract K1b-XIII S. 45°00' W 39.00 chains to corner 40 of Tract K1b-VI; thence with eleven (11) lines of Tract K1b-VI, passing corners 41 to 43 inclusive, and 1 to 7 inclusive, 206.55 chains to corner 8 of said tract; thence with two (2) lines of the James Saunders survey, Abstract No. 907, N. 40°00' W 56.40 chains, North 58.50 chains to the beginning corner thereof; thence with a west line of the Jacob Veittle survey, Abstract No. 1056, north 15.10 chains to the beginning corner of said survey on the south boundary of the Marselino Salas survey, Abstract No. 77; thence north 62.00 chains to San Pedro Creek; thence down and with San Pedro Creek 1090.00 chains to confluence with the Neches River; thence down and with the right bank of the Neches River 5985.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13<sup>th</sup> day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

<sup>1</sup> So in original.





SABINE NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

October 13, 1936  
[No. 2204]

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Sabine National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Sabine National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sabine National Forest:

Sabine National Forest, Tex. Preamble. Statutory authorization. 36 Stat. 962. 16 U. S. C. §§ 515, 516.

Reserving, etc., designated lands for national forest. 26 Stat. 1103. 16 U. S. C. § 471.

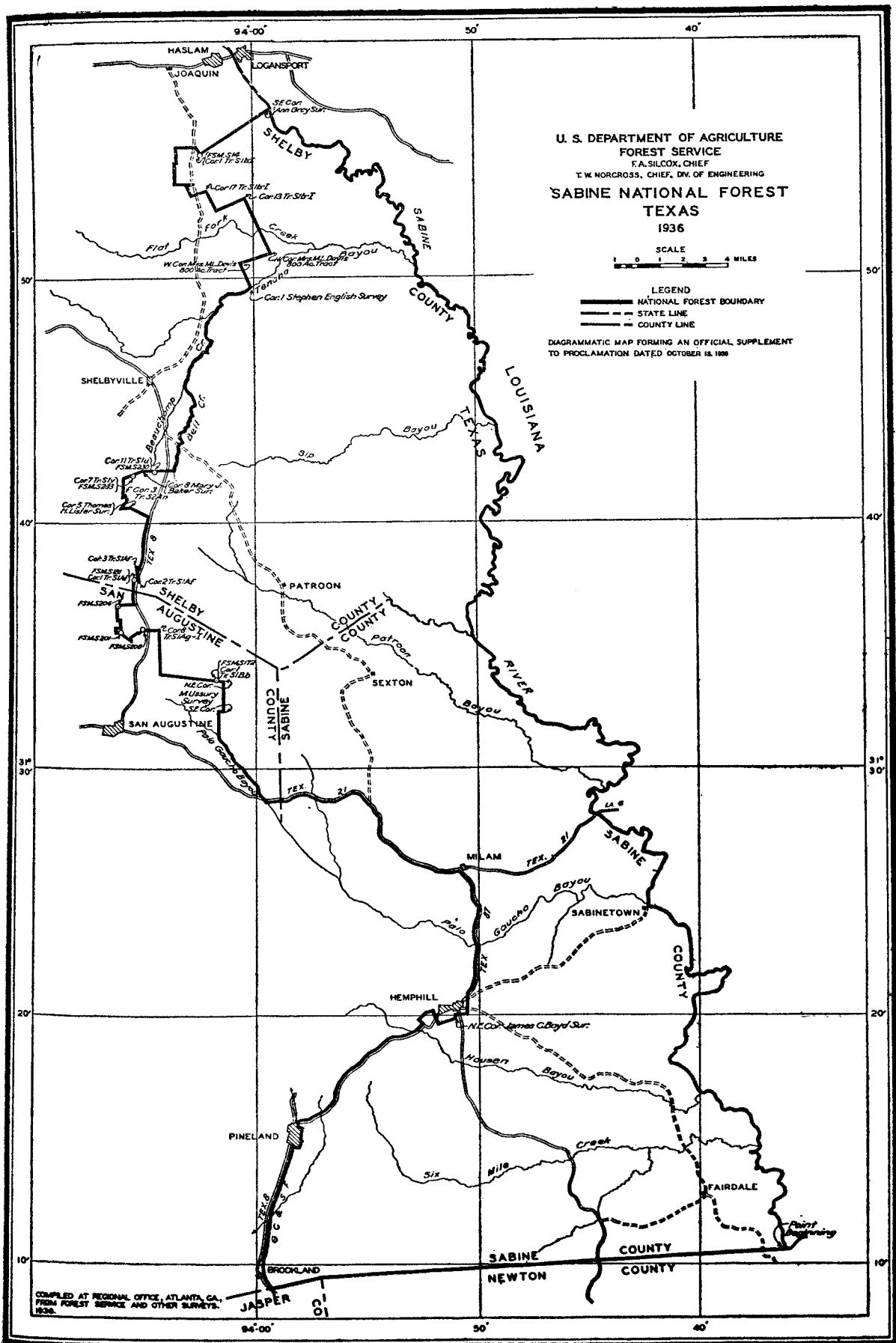
36 Stat. 963. 16 U. S. C. § 521.

Description.

Beginning at the junction of the Sabine-Newton County Line with the Texas-Louisiana State Line on the Sabine River; thence up and with the Sabine River and the State Line northerly 8330.00 chains to the southeast corner of the Ann Gray Survey, Abstract No. 240; thence southwesterly with the southeast line of the Ann Gray Survey to the beginning corner of Tract S1b-I, property of the United States; thence with ten (10) lines of Tract S1b-I, N 30°40' W 37.60 chains, West 60.20 chains, S 2°40' W 41.80 chains, S 0°40' W 49.40 chains, S 89°30' W 8.30 chains, South 46.10 chains, N 89°45' E 70.50 chains, S 66°35' W 23.00 chains, S 22°25' E 34.90 chains, N 72°50' E 54.30 chains to corner 17 thereof on the southwest line of the Stephen English Survey, Abstract No. 180; thence with the southwest line of the Stephen English Survey southeasterly 78.00 chains to a point in the line; thence passing in line corner 14 of Tract S1b-I, N 67°30' E 111.00 chains to corner 13 of said tract; thence with the northeast line of the Stephen English Survey southeasterly 229.00 chains to the north corner of the Mrs. M. L. Davis 800 acre tract as recorded in Book 135, page 232, Shelby County Deed Records; thence with the northwest line of said tract southwesterly 111.00 chains to the west corner thereof on the southwest line of the Stephen English Survey; thence with the southwest line of the Stephen English Survey southeasterly 93.00 chains to the beginning corner thereof in Tenaha Bayou; thence up and with Tenaha Bayou southwesterly 234.00 chains to the junction with Beauchamp Creek; thence up and with the meanders of Beauchamp Creek 360.00 chains to the confluence with Bell Creek; thence up and with the meanders of Bell Creek 420.00 chains to the intersection with the north line of the John Hughes Survey, Abstract No. 318; thence with the north line of the John Hughes Survey and the north line of the R. S. Forbuss Survey, Abstract No. 209, westerly 78.00 chains to corner 11 of Tract S1u, identical with Monument-S230; thence with the north line of the T. W. Bounds Survey, Abstract No. 1186, and the Mary J. Baker Survey, Abstract No. 1141, westerly 54.00 chains to the eighth corner of

said Mary J. Baker Survey; thence southerly and westerly with three (3) lines of said Mary J. Baker Survey, passing the ninth and tenth corners thereof, 43.00 chains to corner 7 of Tract S1v identical with Monument-S233; thence with three (3) lines of Tract S1v S  $83^{\circ}45'$  W 31.60 chains, S  $0^{\circ}40'$  W 72.90 chains, N  $69^{\circ}45'$  E 7.26 chains to corner 3 of Tract S2An; thence with two (2) lines of the William A. Holland Survey, Abstract No. 322, southerly 59.50 chains to the south corner thereof identical with the southwest corner of the George Field Survey, Abstract No. 996; thence N  $80^{\circ}00'$  E 25.25 chains to the beginning corner of the George Field Survey identical with the fifth corner of the Thomas H. Lister Survey, Abstract No. 437; thence with the northeast line of the Thomas H. Lister Survey S  $70^{\circ}00'$  E 73.76 chains to State Highway No. 8; thence with said highway southerly 198.00 chains to a point in the line of Tract S1Af between corner 3 and 4; thence with four (4) lines of said tract N  $72^{\circ}00'$  W 15.07 chains, S  $0^{\circ}15'$  E 51.67 chains, N  $71^{\circ}15'$  W 8.00 chains to the beginning corner of said Tract S1Af identical with Monument-S181; thence S  $0^{\circ}30'$  E 17.30 chains to State Highway No. 8; thence with said highway southerly 68.00 chains to Tract S1Ag-I at a point between corners 1 and 21 thereof; thence with sixteen (16) lines of Tracts S1Ag-I and S1Ag-III to corner 8 of the latter; thence N  $72^{\circ}30'$  E 5.00 chains to the east line of the Edmund Quirk Survey, Abstract No. 35; thence with the east line of said Survey southerly 177.00 chains to the southwest corner of the William Humphreys Survey, Abstract No. 138; thence with the south line of said William Humphreys Survey and passing corners 12, 11 and 2 of Tract S1Bb easterly 197.00 chains to corner 1 of said Tract S1Bb identical with Monument-S172; thence with the north line of the M Ussury Survey, Abstract No. 302, easterly 22.80 chains to the northeast corner thereof; thence with the east line of the M. Ussury Survey southerly 114.00 chains to the southeast corner thereof; thence with the south line of said Survey westerly 15.00 chains to the northeast corner of the John Deason Survey, Abstract No. 102; thence with the east line of the John Deason Survey southerly 89.00 chains to Palo Gaucho Bayou; thence down and with Palo Gaucho Bayou southeasterly 300.00 chains to State Highway No. 21; thence with said highway southeasterly 910.00 chains to the intersection with State Highway No. 87; thence with said highway southerly 494.00 chains to the junction of the Hemphill-Sabinatown Road; thence South 74.00 chains to a point in the south line of the Joseph Walker Survey, Abstract No. 57; thence southwesterly with the south line of the Joseph Walker Survey, Abstract No. 57; thence with the south line of the Joseph Walker Survey southwesterly 14.00 chains to the intersection with the north line of the John Haley Survey, Abstract No. 20; thence with the north line of the John Haley Survey westerly 53.00 chains to the northwest corner thereof; thence with the west line of the John Haley Survey southerly 13.50 chains to the northeast corner of the James G. Boyd<sup>1</sup> Survey, Abstract No. 75; thence with five (5) lines of the James C. Boyd<sup>1</sup> Survey S  $75^{\circ}30'$  W 55.75 chains, N  $14^{\circ}20'$  W 41.98 chains, S  $78^{\circ}20'$  W 20.11 chains S  $32^{\circ}00'$  W 30.35 chains, S  $57^{\circ}00'$  E 26.65 chains to the Pineland-Hemphill Road; thence with the Pineland-Hemphill Road southwesterly 704.00 chains to the intersection with the east right-of-way line of the Gulf, Colorado and Santa Fe Railway; thence with the said right-of-way line of the Gulf, Colorado and Santa Fe Railway southerly 636.00 chains to the Sabine-Jasper County Line ex-

<sup>1</sup> So in original.



cluding, however, the town of Pineland; thence with the Sabine-Jasper County Line N 77°40' E 353.00 chains to the corner of Sabine, Jasper and Newton Counties; thence with the Sabine-Newton County Line N 86°15' E 1469.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13<sup>th</sup> day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# SAM HOUSTON NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 13, 1936  
[No. 2205]

## A PROCLAMATION

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

Sam Houston National Forest, Tex.  
Preamble.  
Statutory authorization.  
36 Stat. 962.  
16 U. S. C. §§ 515, 516.

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Sam Houston National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Sam Houston National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sam Houston National Forest:

Reserving, etc., designated lands for national forest.

26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

Beginning at Monument-J331 which is identical with corner 6 of Tract J3c, property of the United States, and from which Huntsville is N 38°W 3½ miles approximately; thence with seven (7) lines of the Elihu Davids Survey, Abstract No. 157, northerly 58.50 chains to corner 1 of Tract J3c, identical with the fifteenth corner of said Elihu Davids Survey, westerly 26.77 chains, northerly 80.00 chains, westerly 36.54 chains, southerly 26.10 chains, westerly 39.56 chains, northerly 39.19 chains to the twenty-first corner of said survey, on a south line of the Pleasant Gray Survey, Abstract No. 24; thence with two (2) lines of said Pleasant Gray Survey easterly 9.60 chains, northerly 176.71 chains to the northeast corner of said survey, identical with the northwest corner of the Thos. P. McMillian Survey, Abstract No. 388; thence with the north line of said Thos. P. McMillian Survey easterly 32.70 chains to State Highway No. 19; thence with said highway north-

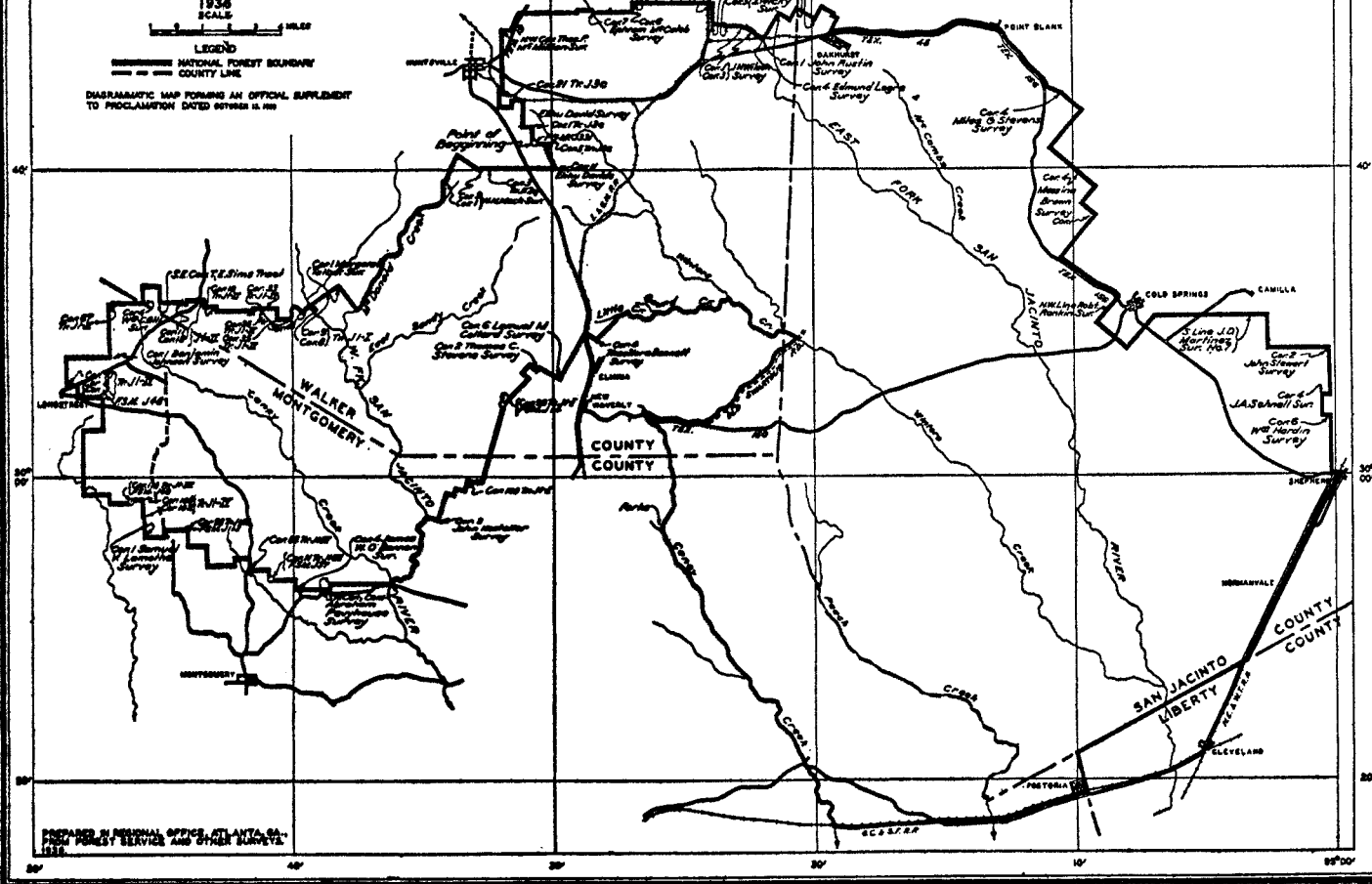
Description.

easterly 50.00 chains to the south line of the Jesse Parker Survey, Abstract No. 36; thence with two (2) lines of the said Jesse Parker Survey easterly 181.50 chains, northerly 1.59 chains to a point in the west line of the Ephraim McCaleb Survey, Abstract No. 389; thence with two (2) lines within the said Ephraim McCaleb Survey, N 89°30' E 39.50 chains to Harmon Creek, up and with Harmon Creek, southeasterly 2.20 chains to the seventh corner of said Ephraim McCaleb Survey; thence with a north line of said Ephraim McCaleb Survey easterly 120.67 chains to the sixth corner of said survey and on the west line of the Jeremiah Lauderdale Survey, Abstract No. 328; thence with the west line of the Jeremiah Lauderdale Survey northerly 26.00 chains to the third corner of said survey; thence with the north lines of the said Jeremiah Lauderdale Survey and the John Caruthers Survey, Abstract No. 9, easterly 237.18 chains to the second corner of the said John Caruthers Survey identical with the beginning corner of the Chas. M. Conrow Survey, Abstract No. 137; thence with the west line of said Chas. M. Conrow Survey southerly 69.74 chains to the second corner of said survey identical with the sixth corner of the Jacob Zwicky Survey, Abstract No. 622; thence with three (3) lines of the Jacob Zwicky Survey easterly 43.01 chains, southerly 2.22 chains, easterly 12.63 chains to the third corner of said survey and identical with the twelfth corner of the J. C. Allender Survey, Abstract No. 63; thence continuing with the north line of the said J. C. Allender Survey easterly 40.79 chains to the beginning corner of said survey and identical with the third corner of the J. H. Wilson Survey, Abstract No. 610; thence with two (2) lines of the said J. H. Wilson Survey S 75°00' E. 24.41 chains, S 60°00' E 17.68 chains to the beginning corner of said survey and identical with the fourth corner of the John M. Rustin Survey, Abstract No. 475; thence continuing with the northeast line of the said John M. Rustin Survey S 60°00' E 40.62 chains to the beginning corner of said survey and identical with the beginning corner of the Pierre Blanchet Survey, Abstract No. 7; thence with the southeast line of said Pierre Blanchet Survey N 30°45' E 95.60 chains to the fourth corner of the Edmund Logre Survey, Abstract No. 330; thence with two (2) lines of the said Edmund Logre Survey, S 60°30' E 41.20 chains, N 32°45' E 43.50 chains to third corner of the Roderick Jenkins Survey, Abstract No. 186; thence with the southwest line of the said Roderick Jenkins Survey at 1.00 chain pass from Walker into San Jacinto County, S 59°45' E 60.20 chains to the second corner of said survey on the northwest line of the Albert A. Foster Survey, Abstract No. 123; thence with the said northwest line of the Albert A. Foster Survey, N 30° 45' E 38.90 chains to a point on said line; thence S 59 45' E 31.00 chains to a northwest line of the Robert Kilgore Survey, Abstract No. 193; thence with three (3) lines of the said Albert A. Foster Survey S 32°15' W 4.40 chains, S 59 45' E 12.70 chains, S 31°00' W 56.60 chains to State Highway No. 45; thence with said highway easterly 525 chains to State Highway No. 156 at the town of Point Blank; thence with State Highway No. 156 southerly 238.00 chains to the northwest line of the Miles G. Stephens Survey, Abstract No. 51; thence crossing the said Miles G. Stephens Survey S 60°00' E 68.00 chains to the fourth corner thereof; thence with two (2) lines of the said Miles G. Stephens Survey S 49°00' E 63.14 chains, S 41 00' W 146 chains to a point in the northwest line of the William Rankin, Jr. Survey, Abstract No. 41; thence crossing the said William Rankin, Jr. Survey S 49°00' E 118.50 chains to the fourth corner of the Messina Brown Survey; thence with four (4) lines of the said Messina Brown Sur-

vey S 49°00' E 56.46 chains, S 41°00' W 66.50 chains, S 49°00' E 52.70 chains to the beginning corner, southwesterly 173 chains to State Highway No. 156; thence with State Highway No. 156, southeasterly 215.00 chains to the northwest line of the Robert Rankin Survey, Abstract No. 42; thence with three (3) lines of the Robert Rankin Survey, S 41°51' W 100.00 chains, S 48°24' E 129.64 chains, N 41°30' E 122.50 chains to the south line of the J. D. Martinez Survey 7, Abstract No. 31; thence with the south line of the J. D. Martinez Survey 7 easterly 340.00 chains to a point N 0°45' W of the northeast corner of the Texas Long Leaf Lumber Company 160 acre tract in the J. D. Martinez Survey 10, Abstract No. 32, as recorded in Volume "z", page 144, San Jacinto County Deed Records; thence crossing the said J. D. Martinez Survey 10 S 0°45' E 100.00 chains to a point on the north line of the John Stewart Survey, Abstract No. 52; thence with four (4) lines of the said John Stewart Survey N 88°30' E, 185 chains to the second corner S 1°00' E 105.23 chains, S 3°19' E 20.77 chains, S 89°00' W 25.55 chains to the fourth corner of the J. A. Schnell Survey, Abstract No. 276; thence with two (2) lines of the said J. A. Schnell Survey S 1°00' E 70.50 chains, N. 89°00' E. 24.37 chains to the sixth corner of the Wm. Hardin Survey, Abstract No. 20; thence with two (2) lines of the said Wm. Hardin Survey S 1°10' E 186.63 chains, N 89°00' E 28.00 chains to the Houston, East and West Texas Railroad right-of-way; thence with said Railroad right-of-way southwesterly to the San Jacinto-Liberty County Line; thence with the San Jacinto-Liberty County Line southwesterly to corner of Montgomery and Liberty Counties; thence with the Montgomery-Liberty County line southeasterly to the Gulf, Colorado and Santa Fe Railroad right-of-way; thence with said Railroad right-of-way westerly to Caney Creek; thence up and with Caney Creek northwesterly 1190.00 chains to the forks of said creek; thence up and with the right fork of Caney Creek northwesterly 394.00 chains to State Highway No. 150; thence with said Highway No. 150 easterly 88.50 chains to the old Swartout Road; thence with the old Swartout Road northeasterly 424.00 chains to Winters Creek; thence up and with Winters Creek northwesterly 340.00 chains to the point of confluence with Gourd Creek; thence up and with Gourd Creek westerly 348.00 chains to confluence with Little Creek; thence up and with Little Creek southwesterly 102.00 chains to a point in the southeast line of the Theodore Bennett Survey, Abstract No. 68; thence with the said Theodore Bennett Survey S 44°45' W 85.00 chains to the fourth corner of said survey on a northeasterly line of the Lemuel M. Collard Survey, Abstract No. 10; thence with two (2) lines of the said Lemuel M. Collard Survey N 60°00' W 50.51 chains, S 30°00' W 194.79 chains to the sixth corner of said survey, identical with the sixth corner of the Thos. C. Stevens Survey, Abstract No. 526; thence with two (2) lines of the said Thos. C. Stevens Survey N 60°00' W 66.67 chains, S 30°00' W 9.09 chains to the second corner thereof and identical with the fourth corner of the Charles O. Edwards Survey, Abstract No. 45; thence with four (4) lines of the said Charles O. Edwards Survey N 45°00' W 25.75 chains, S 45°00' W 28.20 chains, S 45°00' E 10.10 chains, S 45°00' W 80.90 chains, passing in line corner 97 of Tract J1-I acquired from Delta Land and Timber Company, to the eighth corner of said Charles O. Edwards Survey and identical with corner 98 and Monument-J14 of said Tract J1-I; thence with five (5) lines of said Tract J1-I, southwesterly 297.70 chains to corner 103 on an easterly line of the John Hoss-teller Survey, Abstract No. 269; thence with five (5) lines of said

John Hossteller Survey, passing the fifth, sixth, seventh, and beginning corners southwesterly 191.00 chains to the second corner thereof and identical with the third corner of the Thomas James Survey, Abstract No. 287; thence with said Thomas James Survey N 75°00' W 33.67 chains to the West Fork of San Jacinto River; thence down and with the West Fork of San Jacinto River southwesterly 252.80 chains to the beginning corner of the Abraham Pevyhouse Survey, Abstract No. 423; thence with the said Abraham Pevyhouse Survey westerly 196.14 chains to a southwest corner of said survey and identical with the beginning corner of the William Adkins Survey, Abstract No. 47; thence with the William Adkins Survey southerly 12.63 chains to the fifth corner thereof; thence with the south lines of the said William Adkins Survey and the James W. O'Bannon Survey, Abstract No. 407, westerly 84.01 chains to the fourth corner of the said James W. O'Bannon Survey on the east line of the John H. Wood Survey, Abstract No. 603; thence with two (2) lines of the said John H. Wood Survey N 0°30' W 42.09 chains, westerly 84.00 chains to corner 11 of Tract J1-III, identical with Monument-J37; thence with said Tract J1-III N 0°30' W 36.00 chains to a point N 89°30' E of corner 84 of Tract J1-IV; thence S 89°30' W 56.00 chains, passing in line corner 84 of said Tract J1-IV, to corner 85 of said Tract J1-IV; thence with eight (8) lines of said Tract J1-IV, passing in line corners 86 to 92, inclusive, 357.90 chains to corner 93 of said Tract J1-IV, identical with Monument-J113; thence with the Wm. Johnson Survey, Abstract No. 291, passing in line corner 94 of said Tract J1-IV, S 89°30' W 82.30 chains to the second corner of said survey and identical with the second corner of the Elizabeth Heaton Survey, Abstract No. 679; thence with the Elizabeth Heaton Survey S 0°30' E 23.60 chains to the third corner of said survey; thence with the south lines of the said Elizabeth Heaton Survey and the Samuel V. Lamonthé Survey, Abstract No. 331, S 89°30' W 50.20 chains to beginning corner of said Samuel V. Lamonthé Survey and identical with the fourth corner of the Robert Hutcherson Survey, Abstract No. 276; thence with two (2) lines of the Robert Hutcherson Survey northerly 60.00 chains N 89°30' E 0.20 chains to the sixth corner of said survey and identical with corner 102 of said Tract J1-IV; thence with three (3) lines of said Tract J1-IV, passing corners 103 and 104, 62.80 chains to corner 105 of said tract; thence with two (2) lines of the Claiborne B. Sanders Survey, Abstract No. 552, S 89°30' W 40.00 chains, S 0°30' E 8.00 chains to corner 113 of said Tract J1-IV identical with Monument-J49; thence with six (6) lines of said Tract, passing corners 114, 115, 116, 1 and 2 to corner 3 of said tract, which is identical with Monument-J48; thence westerly to corner 8 of said tract; thence with two (2) lines of Tract J1-IV, passing corner 9, 81.20 chains to corner 10 of said tract; thence with two (2) lines of the Nancy Lynch Survey Abstract No. 309, passing in line corner 11 of Tract J1-IV, northerly 72.00 chains, easterly 134.00 chains, to the beginning corner of the Benjamin Johnson Survey, Abstract No. 297; thence with the west lines of the said Benjamin Johnson Survey and the William J. C. Pierce Survey, Abstract No. 431, passing in line corner 66 of Tract J1-II, northerly 156.50 chains to corner 67 of said tract; thence with three (3) lines of Tract J1-II, N 89°30' E 9.20 chains, North 2.30 chains, East 107.80 chains to the fourth corner of the William C. Gill Survey, Abstract No. 209, on the Montgomery-Walker County line; thence with the William C. Gill Survey N 0°30' E 55.90 chains to the northwest corner of the T. E. Simms 261 acre tract as recorded in Volume 38, page 137, Walker County





Deed Records; thence with two (2) lines of said T. E. Simms tract N 89°45' E 46.30 chains, S 0°15' E 56.10 chains to the southeast corner thereof and on the north line of the Augustus Steel Survey, Abstract No. 508; thence with and within the Augustus Steel Survey, passing in line corner 10 of Tract J1-II, East 68.00 chains to corner 11 of said tract; thence with four (4) lines of Tract J1-II, passing corners 12, 13, and 14 of said tract, 58.00 chains to corner 15 thereof; thence with Tract J1-II S 0°30' E 21.00 chains to a point west of corner 18 of said tract; thence passing in line corner 18 of Tract J1-II, East 39.50 chains to corner 19 thereof; thence with six (6) lines of Tract J1-II, passing corners 20 to 24 inclusive, 181.70 chains to corner 25 of said tract; thence easterly 16.50 chains to corner 33 of Tract J1-II; thence with two (2) lines of Tract J1-II, passing in line corner 34, 50.60 chains to corner 35 of said tract; thence with the south line of the Susan Vince Survey, Abstract No. 50, passing in line corners 36 and 41 of said Tract J1-II, N 89°30' E 25.00 chains to West Sandy Creek; thence down and with West Sandy Creek easterly 133.00 chains to confluence with the West Fork of San Jacinto River; thence up and with the West Fork of San Jacinto River and Tract J1-I northwesterly 12.00 chains to corner 8 of said tract; thence with Tract J1-I, N 54°45' E 61.40 chains to corner 9 thereof; thence with the southeast line of the Margaret Talbot Survey, Abstract No. 541, N 55°30' E 42.26 chains to the beginning corner of said survey and on the southwest line of the James Jordan Survey, Abstract No. 28; thence with the southwest line of the James Jordan Survey, S 35°00' E 92 chains to McDonald Creek; thence northeasterly up and with McDonald Creek to the west line of the Crittendon Wells Survey, Abstract No. 591; thence with two (2) lines of the said Crittendon Wells Survey, North 34.00 chains, East 4.21 chains to the beginning corner of said survey and identical with the beginning corner of the W. N. Mock Survey, Abstract No. 401; thence with two (2) lines of the said W. N. Mock Survey, N 25°00' E 80.00 chains, S 65°00' E 80.00 chains to the third corner of said survey; thence with two (2) lines of Tract J12q N 25°00' E 3.00 chains to corner 2, N 89°00' E 39.60 chains to corner 3 of said tract; thence with the William M. Barrett Survey, Abstract No. 77, and the Elihu Davids Survey, *supra*, passing in line corner 4 of Tract J12q, easterly 216.97 chains to the eleventh corner of the said Elihu Davids Survey on the southwest line of the James Tinsley Survey, Abstract No. 548; thence with two (2) lines of the James Tinsley Survey N 25°00' W 84.18 chains, N 65°00' E 10.00 chains to the third corner of the David Thompson Survey, Abstract No. 551; thence with the David Thompson Survey North 2.00 chains, to corner 5 of Tract J3c; thence S 89°30' W 58.70 chains to corner 6 of said tract and the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13<sup>th</sup> day of October, in the year of our Lord Nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—ARKANSAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

October 14, 1936  
[No. 2206]

White River Mi-  
gratory Waterfowl  
Refuge, Ark.  
Preamble.  
40 Stat. 765.  
16 U. S. C. §§ 703-  
711.

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING CERTAIN LAND AND NAVIGABLE WATER WITHIN OR ADJACENT TO WHITE RIVER MIGRATORY WATERFOWL REFUGE, ARKANSAS, AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

Regulation des-  
ignating certain areas  
as sanctuaries.

I, M. L. Wilson, Acting Secretary of Agriculture, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755-757, U. S. C., title 16, secs. 703-711), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regulations, do hereby designate as a closed area, in or on which hunting, taking, capturing, or killing, or attempting to hunt, take, capture, or kill, migratory birds is not permitted, all that area of land and navigable water in Monroe, Arkansas, Phillips, and Desha Counties, Arkansas, lying within the meander lines of the White River between its point of entry into Sec. 13, T. 3 S., R. 2 W., and the point where it leaves Sec. 36, T. 7 S., R. 2 W., Fifth Principal Meridian, and all lands and waters in Arkansas County, Arkansas, lying within the meander lines of La Grue Bayou between its point of entry into Sec. 19, T. 6 S., R. 1 W., and the point of its confluence with the White River in Sec. 7, T. 7 S., R. 1 W., Fifth Principal Meridian, and being within or adjacent to White River Migratory Waterfowl Refuge as established by Executive Order No. 7173, dated September 4, 1935.

Regulation ap-  
proved and pro-  
claimed.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14<sup>th</sup> day of October, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

ARMISTICE DAY—1936

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 27, 1936

[No. 2207]

A PROCLAMATION

WHEREAS the preamble to Senate Concurrent Resolution 18, Sixty-ninth Congress (44 Stat. 1982), passed June 4, 1926, recites:

Armistice Day,  
1936.  
44 Stat. 1982.

Statutory authori-  
zation.

"Whereas the 11th of November, 1918, marked the cessation of the most destructive, sanguinary, and far-reaching war in human annals and the resumption by the people of the United States of peaceful relations with other nations, which we hope may never again be severed; and

"Whereas it is fitting that the recurring anniversary of this date should be commemorated with thanksgiving and prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations; and

"Whereas the legislatures of twenty-seven of our States have already declared November 11 to be a legal holiday:"

AND WHEREAS the said Concurrent Resolution provides:

"That the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that on November 11, 1936, the eighteenth anniversary of the Armistice, the flag of the United States be displayed on all Government buildings, and do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

Directing display of  
flag and inviting ob-  
servance of.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27<sup>th</sup> day of October in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

THANKSGIVING DAY—1936

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 12, 1936

[No. 2208]

A PROCLAMATION

I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate Thursday, the twenty-sixth day of November 1936, as a day of national thanksgiving.

Thanksgiving Day,  
1936.  
Thursday, Novem-  
ber 26, designated as.

The observance of a day of general thanksgiving by all the people is a practice peculiarly our own, hallowed by usage in the days before we were a nation and sanctioned through succeeding years.

Having safely passed through troubled waters, it is our right to express our gratitude that Divine Providence has vouchsafed us

wisdom and courage to overcome adversity. Our free institutions have been maintained with no abatement of our faith in them. In our relations with other peoples we stand not aloof but make resolute effort to promote international friendship and, by the avoidance of discord, to further world peace, prosperity, and happiness.

Coupled with our grateful acknowledgment of the blessings it has been our high privilege to enjoy, we have a deepening sense of our solemn responsibility to assure for ourselves and our descendants a future more abundant in faith and in security.

Observance.

Let us, therefore, on the day appointed, each in his own way, but together as a whole people, make due expression of our thanksgiving and humbly endeavor to follow in the footsteps of Almighty God.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 12th day of November, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE  
*Acting Secretary of State.*

November 16, 1936  
[No. 2209]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

New York World's  
Fair, 1939.  
Preamble.

WHEREAS there is to be held at New York City during the year 1939 a World's Fair which has for its purpose the celebration of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the national government in the city of New York;

Statutory provi-  
sion.  
49 Stat. 1516.

WHEREAS a Joint Resolution of Congress approved June 15, 1936, reads in part as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein.";

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this World's Fair:

Foreign nations in-  
vited to participate.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid Joint Resolution of Congress, do invite the participation of the nations in this World's Fair.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of November in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of [SEAL] America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE  
*Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 16, 1936  
[No. 2210]

A PROCLAMATION

WHEREAS there is to be held at San Francisco, California, during the year 1939 an international exposition which has for its purpose the celebration of the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and which is designed to depict and exhibit the progress and accomplishments of the Pacific area of the United States in science, industry, business, transportation, and culture, and which, because of its world character, will contribute to cordial relations among the nations of the world;

Golden Gate International Exposition.  
Preamble.

WHEREAS a Joint Resolution of Congress approved June 15, 1936, reads in part as follows:

Statutory provisions.  
49 Stat. 1518.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed exposition with a request that they participate therein.";

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this exposition, to be known as the Golden Gate International Exposition:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid Joint Resolution of Congress, do invite the participation of the nations in this exposition.

Foreign nations invited to participate.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of November in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

WICHITA NATIONAL FOREST—OKLAHOMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 27, 1936  
[No. 2211]

A PROCLAMATION

WHEREAS it appears that it would be in the public interest to revoke the proclamations of July 4, 1901 (32 Stat. 1973), May 29, 1906 (34 Stat. 3207), and October 13, 1910 (36 Stat. 2754), establishing, enlarging, and modifying the Wichita National Forest, Oklahoma:

Wichita National Forest, Okla.  
Preamble.  
32 Stat. 1973; 34 Stat. 3207; 36 Stat. 2754.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the act of June 4, 1897, 30 Stat. 1, 11, 36 (16 U. S. C., sec. 473), and upon the recommendation of the Secretary of Agriculture, do hereby revoke the aforesaid proclamations.

Designated proclamations establishing, enlarging, etc., revoked.  
30 Stat. 36.  
16 U. S. C. § 473.

This proclamation is not intended to release any lands from the game preserve known as the Wichita Mountains Wildlife Refuge, as established, enlarged, and designated by the proclamation of June 2, 1905 (34 Stat. 3062), by the executive order of July 26, 1935 (No.

Wichita Mountains Wildlife Refuge not affected.  
34 Stat. 3062; 49 Stat. 1446.

7116), and by the provision in the Department of Agriculture Appropriation Act, 1937, approved June 4, 1936.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27 day of November in the year of our Lord one thousand nine hundred and thirty-six, [SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
R. WALTON MOORE  
*Acting Secretary of State.*

OCMULGEE NATIONAL MONUMENT—GEORGIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

December 23, 1936  
[No. 2212]

Ocmulgee National Monument, Ga.  
Preamble.  
48 Stat. 958.  
16 U. S. C. §§ 447a-447c.

Statutory provision.

Establishment proclaimed.

Warning against unlawful acts.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

WHEREAS the act of Congress entitled "An Act To authorize the establishment of the Ocmulgee National Monument in Bibb County, Georgia", approved June 14, 1934 (48 Stat. 958), provides, in part:

That when title to lands commonly known as the "Old Ocmulgee Fields", upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument":

AND WHEREAS the Secretary of the Interior has designated an area comprising 678.48 acres of such land as necessary for national-monument purposes, title to which is vested in the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the statutory provisions above set out, do proclaim that the aforesaid area as indicated on the diagram attached hereto and forming a part hereof is hereby set aside as a national monument to be known as the Ocmulgee National Monument.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.





IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23<sup>d</sup> day of December, in the year of our Lord nineteen hundred and thirty-six and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President

R. WALTON MOORE

*Acting Secretary of State.*

SUPERIOR NATIONAL FOREST—MINNESOTA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 28, 1936  
[No. 2213]

A PROCLAMATION

WHEREAS by proclamation of April 9, 1927 (45 Stat. 2904), there were set apart as the Superior National Forest in the State of Minnesota certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

Superior National Forest, Minn. Preamble. 45 Stat. 2904.

36 Stat. 962. 16 U. S. C. §§ 516, 515.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands:

Boundaries modified.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the areas shown as additions on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Superior National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said Forest.

26 Stat. 1103. 16 U. S. C. § 471.

30 Stat. 36. 16 U. S. C. § 473. 16 U. S. C. § 521.

Treatment of acquisitions.

The reservation made by this proclamation shall, as to such of the lands as are affected thereby, be subject to the terms and conditions of the act of July 10, 1930, ch. 881, 46 Stat. 1020, and shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Orders No. 5833 of April 8, 1932, and No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Terms and conditions.

46 Stat. 1020. 16 U. S. C. §§ 577-577b.

Prior rights, etc., not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28<sup>th</sup> day of December, in the year of our Lord nineteen hundred and thirty-six and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

## MERCHANDISE IN BONDED WAREHOUSE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

December 29, 1936  
[No. 2214]

Merchandise in bonded warehouse.

Statutory authorization.  
46 Stat. 696.  
19 U. S. C. § 1318.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act \* \* \*";

46 Stat. 744.  
19 U. S. C. § 1557.

AND WHEREAS section 557 of the said Act (46 Stat. 744) provides:

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than fire-crackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal \* \* \* *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation \* \* \*";

Emergency declared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury, until further notice:

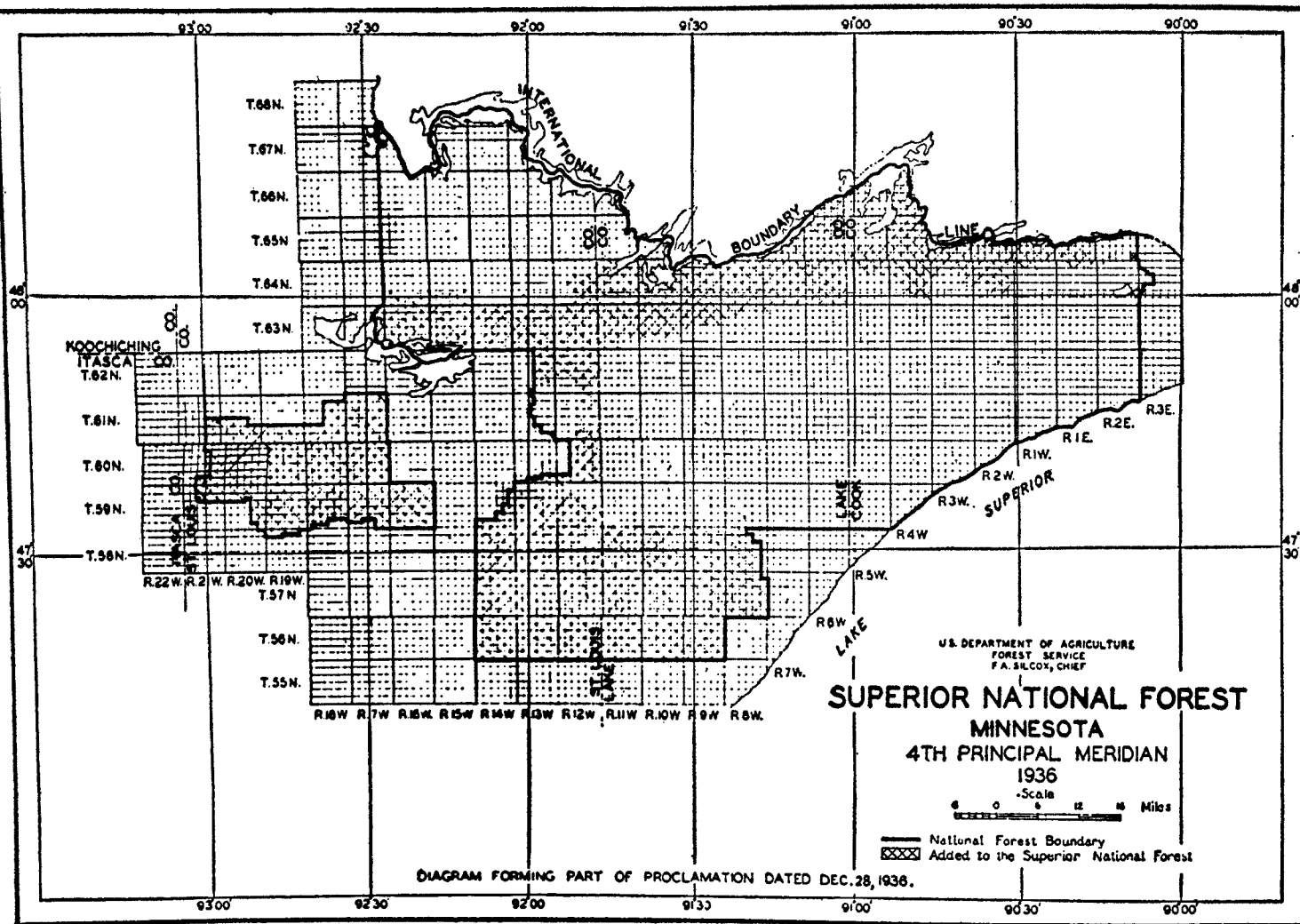
Warehousing period for merchandise further extended.

Imports between January 11 and December 31, 1930.  
42 Stat. 977; 46 Stat. 744.

(1) In the case of merchandise imported between January 11 and December 31, 1930 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1922 (42 Stat. 977) or section 557 of the Tariff Act of 1930, except grain imported on or after June 18, 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Acts of 1922 and 1930, as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2109, dated December 21, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

47 Stat. 2548.

49 Stat. 3427, 3491.



(2) In the case of merchandise (except grain) imported between January 11 and December 31, 1931 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2110, dated December 21, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1931.  
46 Stat. 744.

48 Stat. 1726; 49 Stat. 3428, 3491.

(3) In the case of merchandise (except grain) imported between January 11 and December 31, 1932 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2111, dated December 22, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1932.

49 Stat. 3429, 3491.

(4) In the case of merchandise (except grain) imported between January 11 and December 31, 1933 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1933.

(5) In the case of merchandise (except grain) imported during the calendar year 1934 and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930.

Imports during 1934.

*Provided, however,* That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* That the extensions of one year herein authorized shall not apply to any merchandise imported during the years 1930, 1931, 1932 and 1933 as to which the periods of extension authorized by Proclamation No. 2154, dated January 11, 1936, have expired, or to any merchandise imported during the calendar year 1934 as to which the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930 has expired.

*Provisos.*  
Bond required.

*Exceptions.*

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29 day of December in the year of our Lord nineteen hundred and thirty six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

# EXTENDING THE PERIOD FOR EXPORTATION OF MERCHANDISE FOR DRAWBACK PURPOSES

December 29, 1936

[No. 2215]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Exportation of mer-  
chandise for drawback  
purposes.

Statutory authori-  
zation.  
46 Stat. 696.  
19 U. S. C. § 1318.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act \* \*”;

46 Stat. 694.  
19 U. S. C. § 1313.

AND WHEREAS section 313 (h) of the Tariff Act of 1930 (46 Stat. 694) provides:

“No drawback shall be allowed under the provisions of this section or of section 6 of the Act entitled ‘An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,’ approved March 8, 1902 (relating to drawback on shipments to the Philippine Islands), unless the completed article is exported, or shipped to the Philippine Islands, within three years after importation of the imported merchandise”;

Emergency de-  
clared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury:

Time extended on  
exportation of mer-  
chandise to the Phil-  
ippine Islands.

(1) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between June 18 and December 31, 1930 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

47 Stat. 2548; 49 Stat.  
3442, 3494.

Articles imported  
between April 1 and  
December 31, 1931.

(2) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between April 1 and December 31, 1931 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

48 Stat. 1726.

49 Stat. 3442.

49 Stat. 3494.

Between April 1  
and December 31,  
1932.

(3) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between April 1 and December 31, 1932 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine

Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

(4) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between January 18 and December 31, 1933 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

Between January 18  
and December 31,  
1933.

(5) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1934, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h).

During 1934.

*Provided, however,* That the extensions of one year herein authorized shall not apply in any case involving merchandise imported in 1931, 1932 or 1933 where the one-year period of extension authorized in the said Proclamation of January 18, 1936, has expired, or in any case involving merchandise imported in 1934 where the three-year period prescribed in the said section 313 (h) has expired.

*Proviso.*  
*Exceptions.*

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29 day of December in the year of our Lord nineteen hundred and thirty six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
R. WALTON MOORE  
*Acting Secretary of State.*

## CHIPPEWA NATIONAL FOREST—MINNESOTA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 29, 1936  
[No. 2216]

### A PROCLAMATION

WHEREAS by act of Congress approved May 23, 1908, 35 Stat. 268, certain lands in the State of Minnesota were set apart and reserved as the Minnesota National Forest, the name of which was by Executive Order No. 4913 of June 22, 1928, changed to Chippewa National Forest; and

Chippewa National  
Forest, Minn.  
35 Stat. 268.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), and certain adjoining public lands:

36 Stat. 961; 43 Stat.  
653.  
16 U. S. C. §§ 515,  
516.

Boundaries modified.  
 26 Stat. 1103.  
 16 U. S. C. § 471.  
 30 Stat. 36.  
 16 U. S. C. § 473.  
 16 U. S. C. § 521.

Acquisitions.

Existing rights not affected.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the area shown as an addition on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Chippewa National Forest, and that all lands within such area which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as part of the said Forest.

The reservation made by this proclamation shall be subject to valid existing rights, and shall as to all lands which are at this date reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, as amended, be subject to such reservation and shall not prevent the use for such public purpose of lands so reserved so long as such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 29<sup>th</sup> day of December in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

# EXTENDING THE PERIOD FOR FURNISHING PROOF OF USE IN MANUFACTURE OF BONDED WOOL AND CAMEL HAIR

December 30, 1936  
 [No. 2217]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Bonded warehouses, etc.

Statutory authorization.  
 46 Stat. 696.  
 19 U. S. C. § 1318.

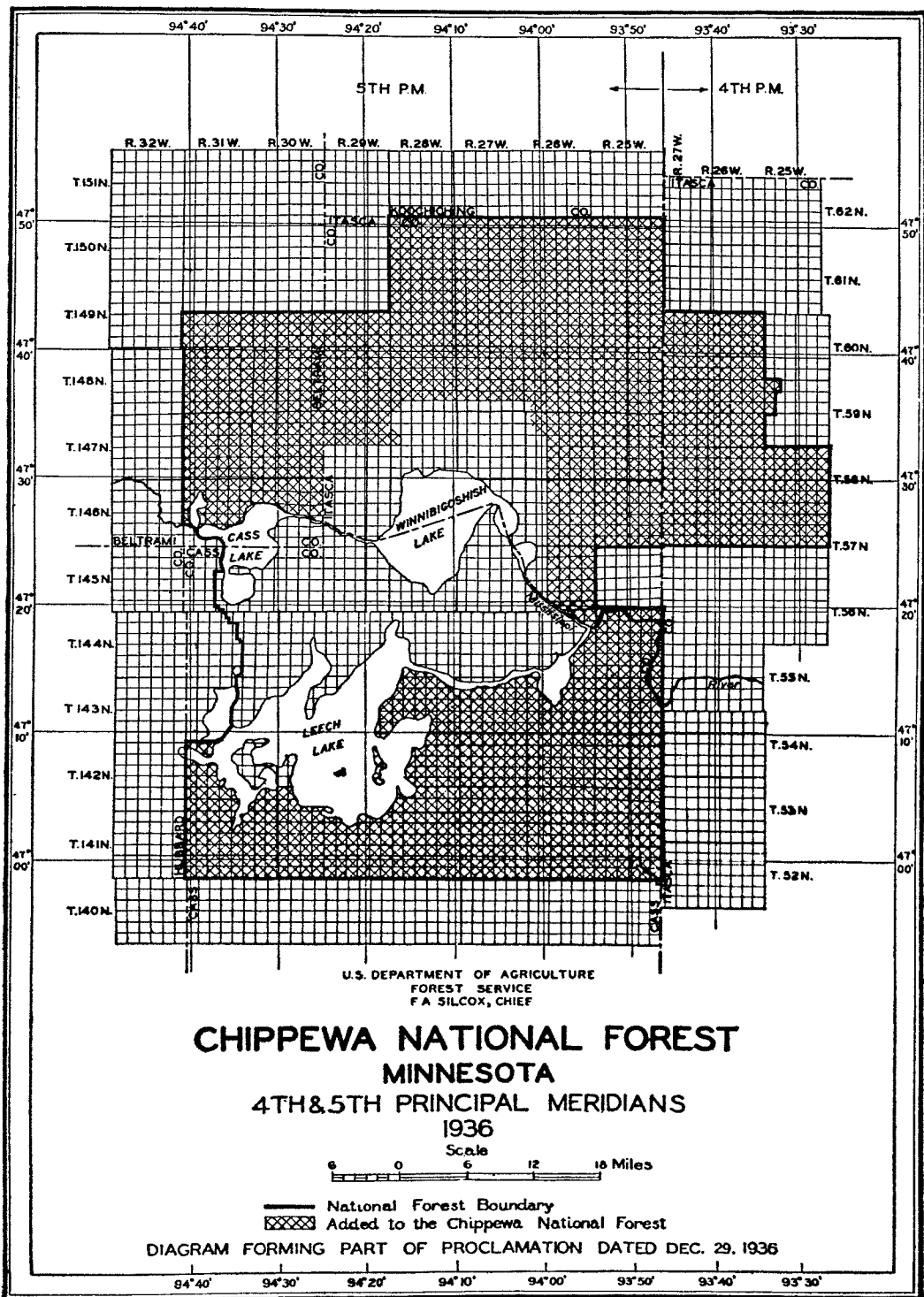
42 Stat. 904.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act \* \* \*”;

WHEREAS paragraph 1101 of the Tariff Act of 1922 (42 Stat. 904) provides that wools of certain kinds

“\* \* \* may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools have been used in the manufacture of rugs, carpets, or any other floor coverings, the duties shall be remitted or refunded \* \* \*”;





AND WHEREAS paragraph 1101 of the Tariff Act of 1930 (46 Stat. 646) provides that wools of certain kinds and hair of the camel

46 Stat. 646.

“\* \* \* may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools or hair have been used in the manufacture of yarns which have been used in the manufacture of press cloth, camel's hair belting, rugs, carpets, or any other floor covering, or in the manufacture of knit or felt boots or heavy fulled lumbermen's socks, the duties shall be remitted or refunded \* \* \*”;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Emergency declared.

And I do hereby authorize the Secretary of the Treasury, until further notice:

(1) In the case of wools imported or withdrawn from bonded warehouse between January 18 and June 17, 1930 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1922, and wools or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraphs as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Wools and camel hair imported or withdrawn from bonded warehouse during 1930.

Time extended for furnishing proof of use.

47 Stat. 2549.

49 Stat. 3432, 3492.

(2) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1931 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Imports or withdrawals, between January 18 and December 31, 1931.

48 Stat. 1726.

49 Stat. 3432.

49 Stat. 3492.

(3) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1932 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Imports or withdrawals between January 18 and December 31, 1932.

49 Stat. 3432.

49 Stat. 3492.

(4) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1933 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during

Imports or withdrawals between January 18 and December 31, 1933.

which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

49 Stat. 3492.

During 1934.

(5) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1934, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph.

Provisos.  
Bond.

*Provided, however,* That in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the bond was given the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* That the extensions of one year herein authorized shall not apply to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar years 1930, 1931, 1932 and 1933, on which the one-year period of extension authorized in the aforesaid proclamation of January 18, 1936, has expired, or to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar year 1934 on which the three-year period prescribed in paragraph 1101 of the Tariff Act of 1930 has expired.

Exceptions.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30 day of December in the year of our Lord nineteen hundred and thirty six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE  
*Acting Secretary of State.*

### CHEQUAMEGON NATIONAL FOREST—WISCONSIN

December 31, 1936  
[No. 2218]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

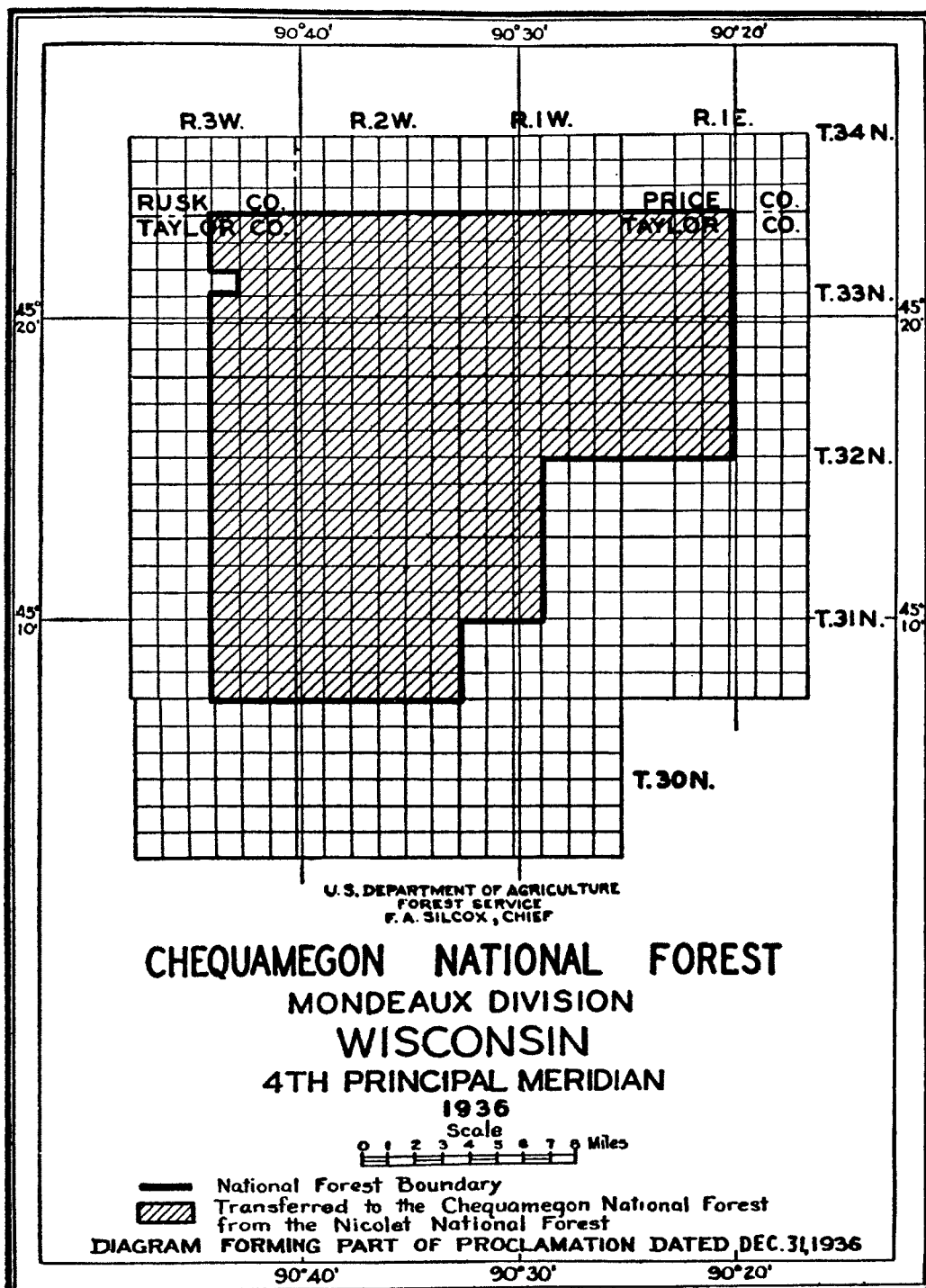
### A PROCLAMATION

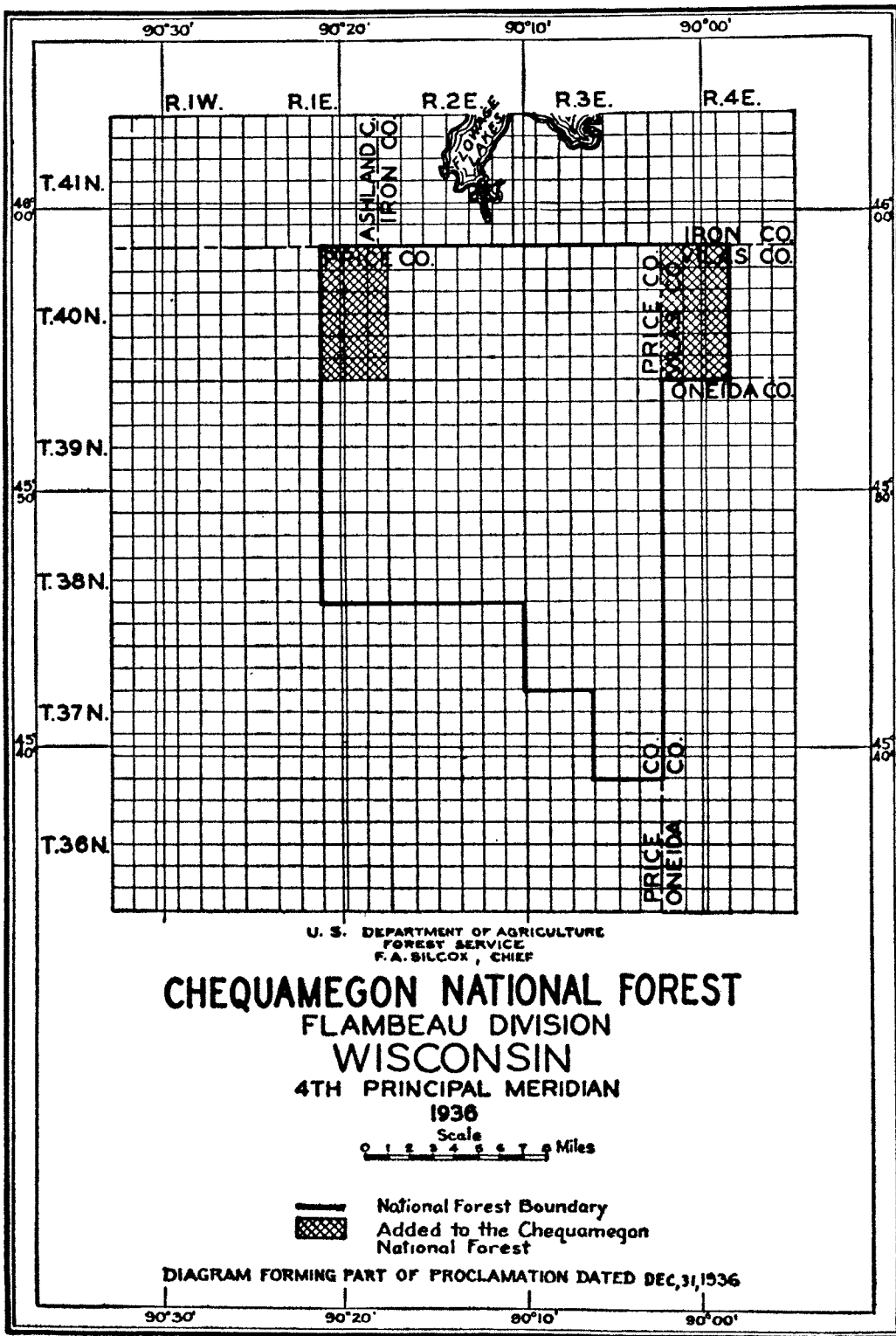
Chequamegon National Forest, Wis.  
Preamble.  
48 Stat. 1716.

36 Stat. 961; 43 Stat. 653.  
16 U. S. C. §§ 516, 515.

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1716), there were set apart and reserved as the Chequamegon National Forest in the State of Wisconsin certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring to the said national forest the Mondeaux Division of the Nicolet National Forest:







NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the areas shown as additions on the diagrams attached hereto and made a part hereof are hereby included in and reserved as a part of the Chequamegon National Forest, (2) that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said Forest, and (3) that there is hereby transferred to the said Forest the Mondeaux Division of the Nicolet National Forest.

This proclamation and that modifying the boundaries of the Nicolet National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31<sup>st</sup> day of December, in the year of our Lord nineteen hundred and thirty-six, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

# NICOLET NATIONAL FOREST—WISCONSIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1715), there were set apart and reserved as the Nicolet National Forest in the State of Wisconsin certain lands which had been or might thereafter be acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring the Mondeaux Division of the said national forest to the Chequamegon National Forest:

Boundaries modified.

26 Stat. 1103.  
16 U. S. C. § 471.  
30 Stat. 36.  
16 U. S. C. § 473.  
16 U. S. C. § 521.  
Lands included.

Administration.

Mondeaux Division of Nicolet National Forest transferred to.

Rights, etc., reserved.

December 31, 1936  
[No. 2219]

Nicolet National Forest, Wis.  
Preamble.  
48 Stat. 1715.

36 Stat. 961; 43 Stat. 653.  
16 U. S. C. §§ 516, 515.

Boundaries modified.

26 Stat. 1103.  
16 U. S. C. § 471.

30 Stat. 36.  
16 U. S. C. § 473.  
16 U. S. C. § 521.  
Lands included.

Administration.

Mondeaux Division transferred to Chequamegon National Forest.  
*Ante*, p. 1806.

Rights, etc., reserved.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the area shown as an addition on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Nicolet National Forest, and (2) that all lands within such area which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of said Forest, and (3) that the aforesaid Mondeaux Division is hereby transferred to the Chequamegon National Forest.

This proclamation and that modifying the boundaries of the Chequamegon National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31<sup>st</sup> day of December, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

#### OTTAWA NATIONAL FOREST—MICHIGAN

January 11, 1937

[No. 2220]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

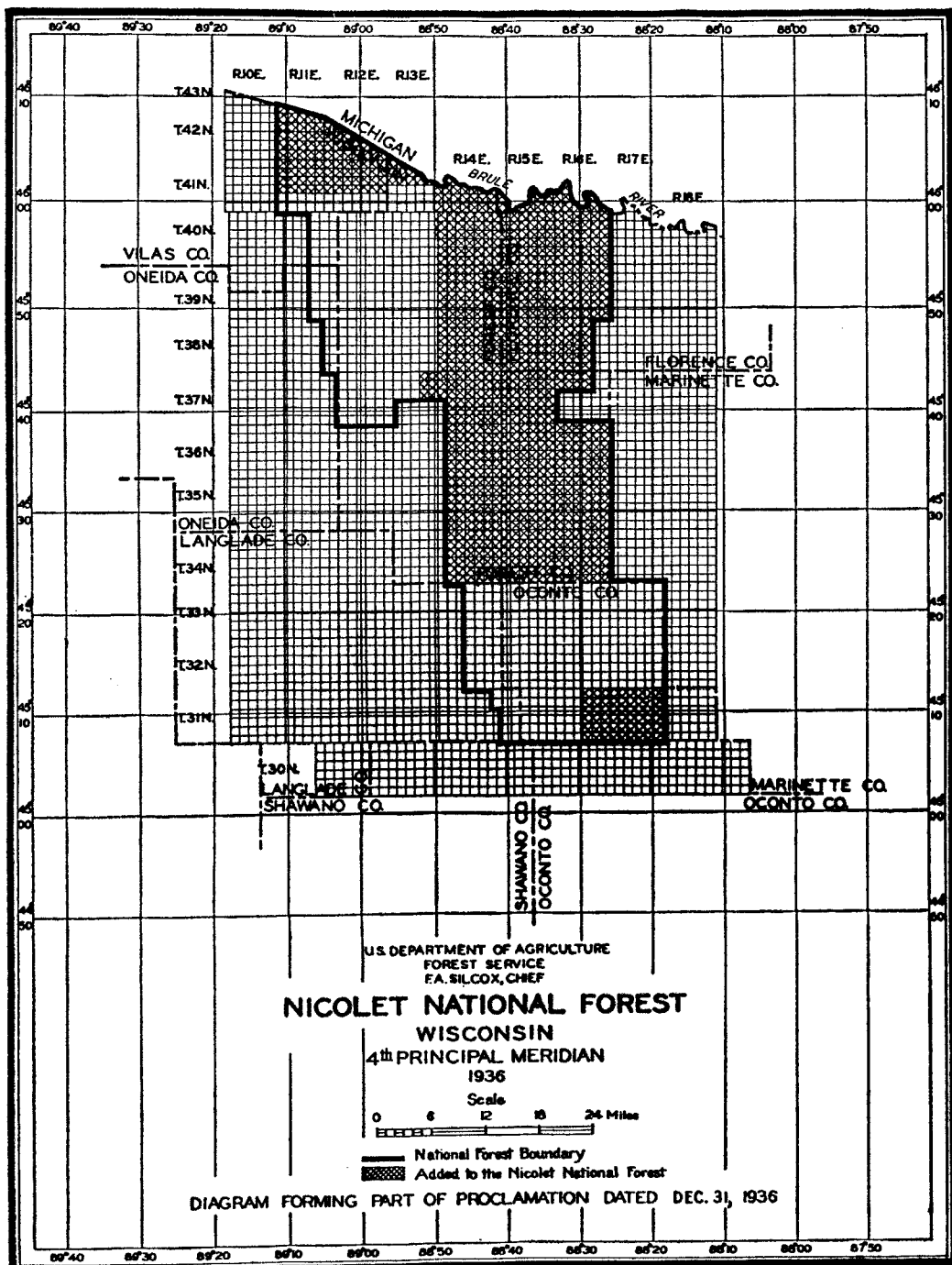
Ottawa National Forest, Mich.  
Preamble.  
46 Stat. 3044.

36 Stat. 961; 43 Stat. 653.  
16 U. S. C. §§ 515, 516.

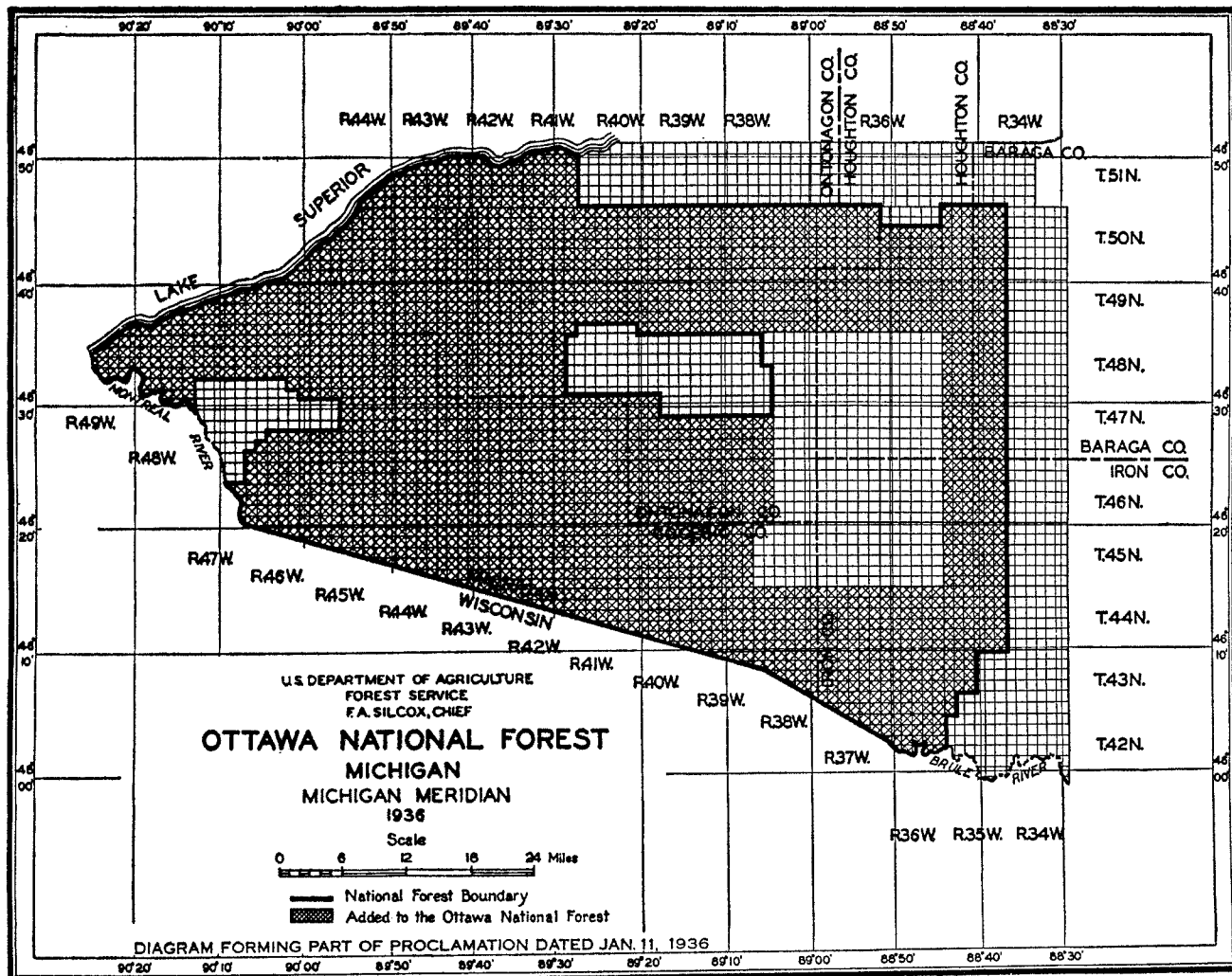
WHEREAS by proclamation of January 27, 1931 (46 Stat. 3044), there were set apart and reserved as the Ottawa National Forest in the State of Michigan certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain other forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and certain adjoining public lands:

49 Stat. 115.







NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), section 11 of the said act of March 1, 1911, ch. 186, 36 Stat. 963 (U. S. C., title 16, sec. 521), and section 5 of the said Emergency Relief Appropriation Act of 1935 do proclaim that all lands of the United States within the areas shown as additions on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Ottawa National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, and the said Emergency Relief Appropriation Act of 1935 shall upon acquisition of title thereto be reserved and administered as a part of the said Forest.

Boundaries modified.  
26 Stat. 1103.  
16 U. S. C. § 471.

30 Stat. 36.  
16 U. S. C. § 473.  
16 U. S. C. § 521.  
49 Stat. 118.

Administration.

Rights, etc., reserved.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Orders No. 4430 of April 23, 1926, as modified, and No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11<sup>th</sup> day of January in the year of our Lord nineteen hundred and thirty-seven and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

*Acting Secretary of State.*

## ZION NATIONAL MONUMENT—UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 22, 1937  
[No. 2221]

### A PROCLAMATION

WHEREAS certain public lands in the State of Utah contain volcanic phenomena of unusual scientific value, and have situated thereon various other objects of geological and scientific interest; and

Zion National Monument, Utah.  
Preamble.

WHEREAS it appears that it would be to the public interest to reserve such lands as a national monument, to be known as the Zion National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Zion National Monument:

Reserving site for national monument.  
34 Stat. 225.  
16 U. S. C. § 431.

### SALT LAKE MERIDIAN

Description.

T. 39 S., R. 10 W., sec. 31, lots 4 to 14, and 19 to 30, inclusive.  
T. 40 S., R. 10½ W., sec. 1 and unsurveyed fractional sec. 2.  
T. 38 S., R. 11 W., secs. 31, 32 and 33

- T. 39 S., R. 11 W., secs. 4 to 9, and 16 to 21, inclusive, partly unsurveyed;  
 sec. 24, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 secs. 25 to 29, and 33 to 36, inclusive.
- T. 40 S., R. 11 W., secs. 2, 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33 and 34.
- T. 41 S., R. 11 W., sec. 4;  
 sec. 5, E $\frac{1}{2}$ ;  
 sec. 8, NE $\frac{1}{4}$ ;  
 secs. 9, 16 and 21.
- T. 38 S., R. 12 W., sec. 10, lots 3 to 10, inclusive;  
 sec. 11, S $\frac{1}{2}$ ;  
 sec. 12, S $\frac{1}{2}$ ;  
 secs. 13, 14 and 15;  
 sec. 21 E $\frac{1}{2}$ ;  
 secs. 22 to 28, inclusive;  
 sec. 29, lot 1 and lots 3 to 8, inclusive.  
 secs. 33 to 36, inclusive.
- T. 39 S., R. 12 W., secs. 1 to 4, and 9 to 15, inclusive, partly unsurveyed;  
 sec. 16, E $\frac{1}{2}$ ;  
 secs. 22, 23 and 24, partly unsurveyed, containing approximately 49,150 acres.

Warning against unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

39 Stat. 535.  
 16 U. S. C. §§ 1, 2.

Designated Executive Orders superseded.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes made by Executive Orders No. 5573 of March 7, 1931, and No. 6910 of November 26, 1934, as amended, and Executive Order of April 17, 1926, creating Public Water Reserve No. 107.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22<sup>d</sup> day of January, in the year of our Lord nineteen hundred and thirty-seven and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
 CORDELL HULL  
*Secretary of State.*

## CONTRIBUTIONS TO AMERICAN RED CROSS FOR FLOOD RELIEF

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

January 23, 1937  
 [No. 2222]

American Red Cross.

Disastrous floods in the Ohio and Mississippi River valleys already have driven 270,000 men, women and children from their homes.

There is every likelihood that until the crest of the flood waters is reached, this number of homeless refugees will be largely increased. Snow, sleet and freezing weather have added to the suffering and made more hazardous the work of rescue.

The victims of this grave disaster are dependent upon the American Red Cross for food, shelter, fuel, medical care and warm clothing. I have instructed the various agencies of the Federal Government to cooperate to the fullest extent with the Red Cross authorities.

In order that the Red Cross may meet these immediate emergency needs and continue to care for these unfortunates until the waters have receded and they can be returned to their homes, it is imperative that a minimum relief fund of two million dollars be raised as speedily as possible. We are looking to this great national relief agency to act as our representative in this emergency.

As President of the United States and as President of the American Red Cross, I am, therefore, urging all of our people to contribute promptly and most generously to this relief fund so that adequate relief may be made instantly available for these thousands of our homeless and suffering fellow citizens.

Contributions to, for flood relief, requested.

I am confident the response everywhere will be immediate and generous.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23<sup>rd</sup> day of January, in the year of our Lord nineteen hundred and thirty-seven and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# EMERGENCY DUE TO FLOOD CONDITIONS—FREE IMPORTATION OF FOOD, CLOTHING, AND MEDICAL, SURGICAL AND OTHER SUPPLIES FOR USE IN EMERGENCY WORK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 1, 1937  
[No. 2223]

## A PROCLAMATION

WHEREAS there have recently occurred and are occurring disastrous floods in various localities in the valleys of the Ohio and Mississippi rivers and tributaries thereof, resulting in great loss of life and property and causing much sickness, suffering, and privation among the residents of the stricken localities, making it necessary for charitable, philanthropic, relief, and other organizations to extend aid on a large scale to the flood sufferers;

Flood relief. Preamble.

AND WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

46 Stat. 696.  
19 U. S. C. § 1318.

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act, and may authorize the Secretary of the Treasury to permit, under such regulations as the Secretary of the Treasury may prescribe, the importation free of duty of food, clothing, and medical, surgical, and other supplies for use in emergency relief work. \* \* \*”;

Statutory authorization.

Emergency declared.

Certain importations during, permitted duty free.  
*Post*, p. 1838.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provisions of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist, and I do hereby authorize the Secretary of the Treasury to permit, during the continuance of such emergency (the termination of which will be determined by the President and declared by his Proclamation), within such limits and subject to such conditions as he may deem necessary to meet the emergency, the importation free of duty of such food, clothing, and medical, surgical, and other supplies as he may designate and under such regulations as he may prescribe, when imported for use in such emergency relief work.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 1st day of February in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

EMERGENCY BOARD, CHICAGO GREAT WESTERN RAILROAD (PATRICK H. JOYCE AND LUTHER M. WALTER, TRUSTEES)—EMPLOYEES

February 8, 1937  
[No. 2224]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Labor dispute, Chicago Great Western Railroad and certain of its employees.  
Preamble.

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Chicago Great Western Railroad (Patrick H. Joyce and Luther M. Walter, Trustees), a carrier, and certain of its employees represented by

Brotherhood of Locomotive Engineers,  
Brotherhood of Locomotive Firemen and Enginemen,  
Order of Railway Conductors,  
Brotherhood of Railroad Trainmen,  
Switchmen's Union of North America,

which dispute has not been heretofore adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the States of Illinois, Iowa, Minnesota, Missouri and Kansas, to a degree such as to deprive that section of the country of essential transportation service;

Emergency board created to investigate and report thereon.  
44 Stat. 586.  
45 U. S. C. § 160.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within thirty days from this date.

Compensation, etc.

The members of this Board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of

the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Traveling, etc., expenses.  
47 Stat. 405.  
5 U. S. C. § 823.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Expenditures of the board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 8th day of February in the year of our Lord nineteen hundred and thirty seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# GREEN MOUNTAIN NATIONAL FOREST—VERMONT

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 8, 1937  
[No. 2225]

## A PROCLAMATION

WHEREAS by proclamation of April 25, 1932 (47 Stat. 2509), there were set apart as the Green Mountain National Forest, in the State of Vermont, certain forest lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515); and

Green Mountain National Forest, Vt.  
Preamble.  
47 Stat. 2509.  
36 Stat. 961; 43 Stat. 653.  
16 U. S. C. §§ 516, 515.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said National Forest by including therein certain other forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States in the State of Vermont within the areas hereinafter described, are hereby included in and reserved as a part of the Green Mountain National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said National Forest:

Boundaries modified.

26 Stat. 1103.  
16 U. S. C. § 471.  
30 Stat. 36.  
16 U. S. C. § 473.  
16 U. S. C. § 521.  
Lands included.

## NORTHERN DIVISION

Beginning in the Village of Mendon at the point where the East Pittsford Road intersects U. S. Highway 4; thence with the East Pittsford Road to the intersection with the Chittenden Road; thence with the Chittenden Road to the intersection with the Old Dugway Road; thence with the Old Dugway Road to the intersection with the River Road; thence with the River Road to

Northern Division.

the North Chittenden Road in Chittenden Village; thence with the North Chittenden Road to its intersection with the River Road in North Chittenden Village; thence northerly with the River Road about 2 miles to the crossing of Furnace Brook; thence up Furnace Brook to a point where a small drain enters from the west; thence westerly up said small drain to its intersection with the Middle Road; thence with the Middle Road to the intersection with State Highway 115 and the North Road at Goshen Four Corners; thence leaving State Highway 115 with the North Road in northerly and southwesterly directions to its reintersection with State Highway 115 approximately  $1\frac{1}{2}$  miles west of Goshen Four Corners; thence with State Highway 115 to the intersection with the School House Hill Road in Forestdale Village; thence with the School House Hill Road to the intersection with State Highway 53; thence with State Highway 53 to the intersection with the Fern Lake Road; thence with the Fern Lake Road to the south end of Fern Lake; thence with the easterly shore of Fern Lake to a northeasterly cove in Fern Lake; thence N  $26^{\circ}$  E, true meridian, approximately 20 chains to a southeasterly cove of Lake Dunmore; thence with the easterly shore of Lake Dunmore to a cove south of Keewaydin Camps where State Highway 53 borders the east shore of Lake Dunmore; thence with State Highway 53 to the intersection with the East Middlebury Road; thence with the East Middlebury Road to the intersection with the Ripton Road; thence with the Ripton Road to intersection with the old Pratt Hill Road; thence with the old Pratt Hill Road to the intersection with the East Middlebury Road; thence with the East Middlebury Road to the intersection with Middlebury River; thence up Middlebury River to the East Middlebury-Hancock Road; thence westerly with the East Middlebury-Hancock Road to the intersection with School Street in East Middlebury Village; thence northerly with School Street and School Street extended to Fay's Corner; thence westerly with an east and west road from Fay's Corner to the intersection with State Highway 116; thence with State Highway 116 to the intersection with the Little Notch Road; thence with the Little Notch Road to the intersection with a north and south road, also known as the Little Notch Road, and which is the most easterly road at the foot of the mountains; thence with this most easterly road to the intersection with River Street in Bristol Village; thence with River Street to River Street Bridge over the New Haven River; thence with the New Haven River to the Gove Hill Road Bridge in West Lincoln; thence with the Gove Hill Road to the intersection with the West Hill Road; thence with the West Hill Road to the intersection with the Ripton-Lincoln Road; thence with the Ripton-Lincoln Road to the intersection with the most southerly road to South Lincoln; thence with the most southerly South Lincoln Road to the intersection with the Lincoln-South Lincoln Road; thence with the Lincoln-South Lincoln Road to the intersection with a north and south cross road from South Lincoln Village to Lincoln-Warren Road; thence with said cross road to its intersection with the Lincoln-Warren Road; thence with the Lincoln-Warren Road to its intersection with the Old Downingville Road; thence with the old Downingville Road to its intersection at Downingville with the Jerusalem Road; thence with the Jerusalem Road to its intersection with the north line of the Town of Lincoln; thence easterly with the north line of the Town of Lincoln and the north line of the Town of Warren to the intersection with the German Flats Road; thence with German Flats Road and the Grand Hollow Road to

the intersection of the Grand Hollow Road with State Highway 100; thence with State Highway 100 to the crossing of Mad River in Warren Village; thence up Mad River to its intersection with the Warren-Granville Town Line, which is also the Washington-Addison County Line and the north boundary of the Granville Gulf State Forest; thence with the north, west and south boundaries of said State Forest to the intersection with State Highway 100; thence with State Highway 100 to the intersection with Alder Meadow Brook in Granville Village; thence down Alder Meadow Brook to its junction with White River; thence with White River and State Highway 100, whichever is the most westerly, to the intersection of White River with State Highway 115; thence with State Highway 115 to the intersection with Calkin's Road; thence with Calkin's Road to the intersection with White River; thence with White River to the intersection with State Highway 100; thence with State Highway 100 to the intersection in Pittsfield Village with the Upper Michigan Road; thence with the Upper Michigan Road to the intersection with a short cross road; thence with said cross road to the intersection with the Lower Michigan Road; thence with the Lower Michigan Road to the intersection with State Highway 100; thence with State Highway 100 to the intersection with U. S. Highway 4; thence with U. S. Highway 4 to place of BEGINNING.

#### SOUTHERN DIVISION

Beginning at the point where U. S. Highway 7 crosses the Vermont-Massachusetts State Line; thence with U. S. Highway 7 to the intersection with the Old County Road in Pownal; thence with the Old County Road to the intersection with U. S. Highway 7 in Pownal Center; thence with U. S. Highway 7 to the intersection with the Barber Pond Road in Pownal Center; thence with the Barber Pond Road to the intersection with the Stamford and East Roads; thence with the East Road, which is the most easterly through road along the base of the mountain, to the intersection with the Gore Road at the Blair Farm; thence with the Gore Road to the intersection with the Burgess Fair Ground Road; thence with the Burgess Fair Ground Road to the intersection with the Barney Road; thence with the Barney Road to the intersection with State Route 9; thence with State Route 9 to Furnace Bridge over Walloomsac Brook; thence with the Walloomsac Brook to the intersection with Branch Street in the Village of Bennington; thence with Branch Street extended in the Brooklyn Section of Bennington, and with East Road beyond the village limits of Bennington to the intersection near the Wait Farm, with a more westerly road also known as East Road; thence with the East Road to the intersection with the Straight Road; thence with the Straight Road to the intersection with East Road at Snow School; thence with the East Road to the intersection with the East Arlington Road; thence with the East Arlington Road to the intersection with Church Street in East Arlington; thence with Church Street to the intersection with Kelly Stand Road; thence with Kelly Stand Road to the intersection with North Road near Roaring Branch Bridge at East Kansas; thence with North Road to the intersection with River Street and the Old Stage Road in Sunderland; thence with the Old Stage Road to the intersection with the Sunderland-Richfield Road in Sunderland; thence with the Sunderland-Richfield Road to intersection with the Rutland Railway; thence with the Rutland Railway to the intersection with the Richfield Road; thence with the

Southern Division.



Richfield Road to the intersection with an unnamed street in Richfield which borders on Bushee Farm; thence in part with the unnamed street and in part with an abandoned road to the intersection with C. F. Bartlett Road; thence with C. F. Bartlett Road to the intersection with State Route 30; thence with State Route 30 to the intersection with the Rutland Railway near Manchester Depot; thence with the Rutland Railway and U. S. Highway 7, whichever is more easterly, to the intersection with the Hartsboro Road; thence with the Hartsboro Road to the intersection with the Ice-bed Road; thence with the Ice-bed Road to the intersection with State Highway 103A; thence with State Highway 103A to the intersection with State Highway 103; thence with State Highway 103 to the intersection with State Highway 8; thence with State Highway 8 to the intersection with the Back Road; thence with the Back Road, west of and parallel to State Highway 8, to the forks of the road near Benson's Mill; thence with an old road on the west side of West River to the intersection with the Weston-Peru Road; thence with the Weston-Peru Road to the intersection with the Landgrove Road; thence with the Landgrove Road to the first fork of the road south of North Landgrove (locally known as Clarksville); thence with the more easterly road to its fork; thence with the more westerly road to the intersection with State Highway 11; thence south 4 degrees west approximately 1.9 miles to the Winhall Hollow Road at its junction approximately 1.6 miles northwest of South Londonderry Village, with an old settlement road leading to State Highway 11; thence with the Winhall Hollow Road to the intersection with the Bondville Road; thence with the Bondville Road to the intersection with State Route 30 in Bondville; thence with State Route 30 to the intersection with the Winhall Station Road in Rawsonville; thence with the Winhall Station Road to the intersection with the abandoned Central Vermont Railway at Winhall Station; thence with the Central Vermont Railway to the intersection with Station Street in Jamaica Village; thence with Station Street to the intersection with Brook Street; thence with Brook Street to the intersection with State Route 30; thence with State Route 30 to the intersection with River Road at French Bridge over West River; thence with the River Road to intersection with State Route 8 at East Jamaica; thence with State Route 8 to the intersection with the South Wardsboro Road in Wardsboro; thence with the South Wardsboro Road to the intersection with the South Wardsboro School Road in South Wardsboro; thence with the South Wardsboro School Road about 0.6 miles to the intersection with an old road at a barway; thence with the old road which is in part abandoned but rock walled and in part a farm road to the intersection with the Rock River and West Dover Roads; thence with the West Dover Road about one-half mile to the intersection with a back road; thence with the back road to the intersection with the West Dover Road; thence with the West Dover Road to the intersection with State Route 8 in West Dover; thence with State Route 8 to the intersection with the Handle Road near the headwaters of Blue Brook; thence with the Handle Road to intersection with the Perley Symester Farm Road; thence with the Perley Symester Farm Road to the intersection with the Ray Hill Road; thence with the Ray Hill Road to the intersection with State Route 9; thence with State Route 9 to a point on said route north of the intersection of Deerfield River with the flow line of Whitingham Lake; thence south to the intersection of Deerfield River with the flow line of Whitingham Lake; thence with the

flow line around the west side of Whitingham Lake to the intersection with State Route 8 near the village of Whitingham; thence with State Route 8 to the intersection with the most westerly road to Rowe, Massachusetts; thence with the most westerly road to Rowe to the intersection with a logging road about three tenths of a mile beyond the first farmhouse on the left; thence with the logging road to the Vermont-Massachusetts State line; thence with the Vermont Massachusetts State Line to the BEGINNING.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eighth day of February in the year of our Lord nineteen hundred and thirty-seven  
[SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

# ENLARGING THE MONTEZUMA CASTLE NATIONAL MONUMENT— ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 23, 1937  
[No. 2226]

## A PROCLAMATION

WHEREAS the area in the State of Arizona established as the Montezuma Castle National Monument by Proclamation of December 8, 1906, has situated thereon prehistoric ruins and ancient cliff dwellings which are of great interest to the public; and

WHEREAS it appears that there are certain government-owned lands reserved by Proclamation of September 29, 1919, as a part of Coconino National Forest, adjacent to the boundaries of the said monument, which are required for the proper care, management, and protection of the said prehistoric ruins and ancient cliff dwellings:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 1 of the act of June 4, 1897, ch. 2, 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), and section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Arizona are hereby excluded from the Coconino National Forest and reserved from all forms of appropriation under the public-land laws and added to and made a part of the Montezuma Castle National Monument:

Montezuma Castle  
National Monument,  
Ariz.  
Preamble.  
34 Stat. 3265.

41 Stat. 1770.

Area enlarged.

30 Stat. 36.  
16 U. S. C. § 473.  
34 Stat. 225.  
16 U. S. C. § 431.

Portion of Coconino National Forest transferred to.

## GILA AND SALT RIVER MERIDIAN

Description.

T. 14 N., R. 5 E., sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 16, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 17, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , containing 360 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management,

Warning against unauthorized acts.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

*Proviso.*  
Withdrawal for Salt  
River Irrigation Proj-  
ect, Ariz.

and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 23, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof: *Provided*, that the administration of the monument shall be subject to the withdrawal for the Salt River Irrigation project, Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23<sup>d</sup> day of February in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*The Secretary of State.*

### CUMBERLAND NATIONAL FOREST—KENTUCKY

February 23, 1937  
[No. 2227]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Cumberland Na-  
tional Forest, Ky.  
Preamble.  
Statutory authori-  
zation.  
36 Stat. 962.  
16 U. S. C. §§ 515,  
516.

WHEREAS certain forest lands within the State of Kentucky have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Cumberland National Forest:

Reserving, etc., des-  
ignated lands for na-  
tional forest.

26 Stat. 1103.  
16 U. S. C. § 471.  
36 Stat. 963.  
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Cumberland National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Cumberland National Forest:

Description.

Beginning at a point where the Southern Railroad crosses the Kentucky-Tennessee State line at Jellico, Tennessee; thence with the Kentucky-Tennessee State line in a westerly direction to where the Little South Fork of the Cumberland River crosses said line; thence down Little South Fork to the South Fork; thence down South Fork to the mouth of Cain Branch on the north side of the Martin Bend; thence up said Branch to a point in road about one-fourth of a mile southeast of Grace Hill Church; thence along road passing Grace Hill Church to United States Highway No. 27; thence easterly along said highway to Sugar Tree Road; thence along said road to Sugar Tree Hollow; thence down said Hollow to Cumberland River; thence up said River to the mouth of Baker Spring Creek; thence up said Creek to point in Dixie-Haynes Road near Dixie School; thence along said road to Ford across Cumberland River at a point between Dixie and Haynes Bends; thence up said River to the mouth of Buck Creek; thence

up said Creek to the mouth of Whetstone Creek; thence up Whetstone Creek to a point in Whetstone road near head of said Creek and about one-half of a mile south of Acorn, Kentucky; thence along said road to Mount Victory-Acorn road; thence along last named road passing Acorn, Kentucky, to State Highway No. 80; thence along said highway in a northeasterly direction about two and one-half miles to Conrard-Squibb road; thence along said road to Conrard, Kentucky; thence along a road leading northerly, crossing Line Creek, to and up Buffalo Creek, and crossing West Fork of Skagg Creek to the East Fork of Skagg Creek at a point in road about one-half mile above its junction with the West Fork thereof; thence along road up said East Fork about three and three-fourth miles to junction of roads at forks of said Creek; thence along road northeasterly to U. S. Highway No. 25 at Pine Hill, Kentucky; thence along said Highway to the Brush Creek road which leads to Orlando, Kentucky; thence along said road to the Louisville & Nashville Railroad at the junction of Brush and Roundstone Creeks; thence along said railroad to Langford road a point about one-fourth of a mile north of Langford, Kentucky; thence along said road to Clear Creek road; thence along said road to Lowman Hill road a point about one-fourth of a mile north of Disputanta, Kentucky; thence along Lowman Hill road to Climax-Three Links Road; thence along said road to Old Jackson Road; thence along said road to Pine Grove road; thence along said road to Clover Bottom road; thence along said road to State Highway No. 21; thence along said State Highway to Dry Fork road; thence along said road to Brazil-Kerby Knob road; thence along said road to Kerby Knob, Kentucky; thence with a road leading northwesterly to the headwaters of Rock Lick Creek, and northeasterly to the headwaters of Shirley Branch, to the road paralleling Red Lick Creek; thence along said road, to the second crossing of Nellie Henderson Branch near its mouth; thence along the foot of the hill on the southeast side of Red Lick Creek to bend in a road about one-fourth mile south of the mouth of Red Lick Creek; thence along said road, crossing Middle Fork of Station Camp Creek, to a point in curve of road about one-eighth of a mile southwest of where said road crosses Station Camp Creek; thence along the foot of the hill on the west side of Station Camp Creek to a point opposite and about one-half mile west of the mouth of Searcy Creek; thence a straight line to a point where Station Camp Creek road crosses Searcy Creek near its mouth; thence along said road, crossing Jones Branch to River Road a point near South Irvine School; thence along said road, crossing Little and Big Doe Creeks, to the Kentucky River; thence northeasterly along a road crossing Kentucky River near the mouth of Buck Creek, to Pryce, Kentucky; thence along Pryce Road crossing Miller Creek to State Highway No. 52; thence along said highway about three-fourths of a mile to a road leading southwesterly; thence along said road, passing Millers Creek, Kentucky, to Cow Creek near its mouth; thence up Cow Creek to State Highway No. 52; thence along said highway in a northeasterly direction about one-half mile to Old Cow Creek Road; thence along said road, crossing Cow Creek, Cottage Fork and Campbell Fork to the corporate limits of Irvine, Kentucky; thence with the corporate limits thereof to brow of mountain; thence along brow of mountain overlooking Irvine, Kentucky, and around head of Sweet Lick Branch to a point opposite and northeast of the junction of Sweet Lick Branch and White Oak Creek; thence along divide between said streams to a point on State Highway No. 89; thence along

said highway to road up White Oak Creek; thence along road, up White Oak Creek, down Little Hardwick Creek, and up Hardwick Creek to Estill Furnace, Kentucky; thence northerly along road down Cat Creek to State Highway No. 15 near mouth of Cat Creek; thence along said highway to Middle Fork Road about one-fourth of a mile east of Cow Creek; thence along said road, crossing South Fork of Red River, to a road near the Louisville and Nashville Railroad; thence along said road and up Red River to a point opposite the mouth of Dunwoody Branch; thence along the foot of the hill on the south side of Red River to a point opposite the mouth of Spaas Creek; thence a straight line to a point where road crosses Spaas Creek near its mouth; thence along said road down Red River, crossing Short Creek, Dunwoody Branch and Cane Creek to forks of road on west side of Cane Creek; thence along Cane Creek road to forks of road; thence along Right Fork of Cane Creek road to Hawkins Branch; thence easterly along a road up Hawkins Branch to Fagan, Kentucky; thence along a road down Leatherwood Fork to Leatherwood School; thence along Indian Creek road passing Tabor, Kentucky, to State Highway No. 40, about one and one-fourth miles west of Frenchburg, Kentucky; thence along said highway about two and one-half miles to Old State road leading westerly; thence along said road to Slate Fork; thence along a road up Slate Fork, crossing East Fork, to head of and down Mill Creek and up hill to forks of road on divide between Mill Creek and Blue Bank Creek; thence along road to Blue Bank Creek; thence down Blue Bank Creek passing the mouth of Pond Lick Branch, to a branch coming into said creek from the southeast about one mile south of the Chesapeake and Ohio Railroad; thence along the height of land, crossing the Chesapeake and Ohio Railroad about one and one-eighth miles west of Olympia, Kentucky, and crossing State Highway No. 36 about one mile northwest of Olympia, Kentucky, to the forks of Rose Run; thence down said run about one-half mile to a bend in same; thence along the height of land of Flood Mountain to U. S. Highway No. 60 about one and one-fourth miles northwest of Salt Lick, Kentucky; thence along said highway to Salt Lick Creek; thence up Salt Lick Creek to the Chesapeake and Ohio Railroad; thence along said railroad to Midland, Kentucky; thence along Midland-Yale road up Licking River to a point about one-fourth of a mile west of Hog Hollow; thence a straight line north, crossing Licking River, to a point in road at Carey School; thence northerly along said road to U. S. Highway No. 60 at Farmers, Kentucky; thence along said highway, crossing East Fork of Triplett Creek to Bluestone, Kentucky; thence along the North Fork Triplett road to State Highway No. 32; thence crossing said highway northeasterly along the old North Fork Triplett road to Kiser Branch; thence crossing said branch and along the Martins Branch road to the North Fork Triplett road; thence along said road to Old Johnson road; thence along said road to Johnson Branch; thence along the lower slope east of Big Brushy Creek to Humphrey Branch about one-fourth of a mile above its mouth; thence a straight line to Big Brushy road at the mouth of Colt Branch; thence along said road to Brushy-Cane Creek road; thence with said road to the Fleming-Rowan County line a point near U. S. G. S. Triangulation Station Sand; thence along the Rowan-Fleming, Rowan-Lewis and Rowan-Carter County lines to a point on Rowan-Carter County line between the heads of Holly Fork and Hays Branch; thence along the divide between Holly Fork and Hays Branch, and Little Perry Branch and Hays Branch, to East Fork of Triplett Creek

about one-half mile west of Hayes, Kentucky; thence up East Fork of Triplett Creek to the mouth of Buffalo Branch; thence along road, up Buffalo Branch and down Patties Lick Branch to State Highway No. 32; thence along said highway to Vale, Kentucky; thence along road up Walker Branch to ridge and along ridge to Crix Ridge road; thence along said road to Wagoner road; thence along said road to Minor-Poplar Grove road; thence along said road crossing Minor Creek to State Highway No. 173; thence southerly with said highway to Blairs Mills Road a point on the Rowan-Elliott County line at the head of Devils Creek; thence along said road to Blairs Mills Station (Leisure P. O.) Kentucky; thence along a road crossing North Fork of Licking River to Yocum Creek road at Blaize, Kentucky; thence along said road to Caudill Ridge road at Zag, Kentucky; thence along said road to Licking River; thence along a road crossing Licking River at Blackwater Ford to Dan Ridge Road at Dan, Kentucky; thence along said road to State Highway No. 40 at Wellington, Kentucky; thence along said highway to a road leading southerly along Lothan Branch; thence along road down and east of Lothan Branch to Mill Fork Branch; thence down Mill Fork Branch to the cliffs; thence along cliffs east of Mill Fork Branch, around Goss Fork and east of Hiram Brown Branch to a road near the head of Hiram Brown Branch; thence along said road on divide to forks of road near head of Osborne Branch; thence along road to cliffs near the head of Osborne Branch; thence along cliffs east of Osborne Branch and north of Clifty Creek to a point about one-fourth of a mile southwest of Piney Branch; thence crossing Clifty Creek and along the cliffs to the south thereof to a point in road near the head of Solomon Branch; thence along road to the Tut Ford (across Red River); thence crossing Red River and along Calaboose road, passing Calaboose School to Swift Camp Creek about one and one-half miles north of Campton, Kentucky; thence southerly along a road crossing Page Branch about one-half mile to Duff Ridge Road; thence with said road to a point on State Highway No. 15 about two and one-half miles northwest of Campton, Kentucky; thence along said highway to its intersection with State Highway No. 11 near Pine Ridge, Kentucky; thence along Highway No. 11 to a point over the tunnel of the Louisville and Nashville Railroad at Torrent, Kentucky; thence along the Louisville and Nashville Railroad to Fincastle, Kentucky; thence along Fincastle road, passing Shumaker School and crossing Hell Creek to State Highway No. 11; thence along said highway to its junction with State Highway No. 52 at Beattyville, Kentucky; thence along Highway No. 52 about one mile to road down a hollow; thence along said road to Kentucky River; thence up said River to Kentucky State Highway No. 11 at forks of River; thence along said highway to Heidelberg road leading to Idamay, Kentucky; thence along said road, passing Idamay, and down Duck Fork to Sturgeon Creek; thence up Sturgeon Creek to a point about one-fourth of a mile above the mouth of Travis Creek; thence along the divide between Travis Creek on the north and Grassy Creek on the south to a point in Brushy Mountain road along north and south divide; thence along said road to point in intersection of Old Jack Branch road about three-fourths of a mile south of Nantz Triangulation Station; thence along said road crossing Warfork Creek and passing Smith School to State Highway No. 21 near Bradshaw, Kentucky; thence along said highway, passing Gray Hawk, Kentucky, to Old Gray Hawk-Annville road; thence along said road to Gray Hawk-Vicker's road; thence southwesterly along said road to McKee-Annville

road; thence along said road to Letter Box road a point near Dabolt, Kentucky; thence along said road to crossroads at Parrott, Kentucky; thence westerly along road down Black Lick to South Fork of Rockcastle River; thence down said South Fork to its junction with the Middle Fork of Rockcastle River; thence down Rockcastle River to old State road a point on the Old Crewe's Ferry Crossing; thence along said road to Mershons, Kentucky a point on U. S. Highway No. 25; thence southerly along said highway to Old Livingston road; thence westerly about one and one-half miles along said road to a road leading south; thence southerly with said road to Arthur Ridge road a point near Hazelpatch Creek; thence along said road crossing Hazelpatch Creek to Jonson Ridge road; thence along said road to Crab Orchard road; thence along said road to Gillis Branch road; thence along said road to Camper road; thence along said road to State Highway No. 80 at Bernstadt, Kentucky; thence easterly along said highway to Highmore road a point near Dees Store; thence along said road to Sinking Creek road; thence along said road to Abutment road a point near Pine Top School; thence along said road to Sublimity road a point near Benges Store; thence along said road to a point where the center of said road crosses the Castle Craig Coal Company Tract 1520-II on the line between corners 4 and 5 at 0.45 chains S 40°30' E of corner 4 of said tract; thence with the eastern boundary of tract 1520-II and meanders thereof S 40°30' E 3.32 chains to corner 5; thence S 31°00' W 14.18 chains to corner 6; thence S 22°00' W 6.52 chains to corner 1 which is also corner 1 of the Castle Craig Coal Company tract 1520-I; thence with part of the boundary of said tract and meanders thereof S 57°30' E 1.15 chains to corner 2; thence S 27°15' W 4.67 chains to corner 3; thence S 51°00' W 3.96 chains to corner 4; thence N 40°45' W 0.54 chains to center of Sublimity road; thence along said road to Corbin-Somerset road; thence along said road to Old Sinking-Woodbine (old Burton road) road; thence with said road passing Bartons Mill to Scuffletown road; thence with said road to State Highway No. 90; thence along said highway to Old Cumberland Falls road; thence along said road to Devils Creek road; thence along said road to Henry Young road; thence along said road to State Highway No. 90; thence easterly along said highway about one-eighth of a mile to Redbird Lane; thence along Redbird Lane to Redbird Bridge across Cumberland River; thence along Redbird Road to a point in forks of road about one-half mile northwest of Williamsburg, Kentucky; thence along road to State Highway No. 92; thence along said highway to spur railroad leading to Bon Jellico, Kentucky; thence along said railroad to the Louisville and Nashville railroad about one and one-fourth miles south of Williamsburg, Kentucky; thence along the Louisville and Nashville railroad to the Southern railroad; thence along the Southern railroad to the BEGINNING.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 23<sup>d</sup> day of February in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State*

ENLARGING THE DEATH VALLEY NATIONAL MONUMENT—CALIFORNIA  
AND NEVADA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 26, 1937

[No. 2228]

A PROCLAMATION

WHEREAS certain public lands contiguous to the Death Valley National Monument, established by the Proclamation of February 11, 1933 (47 Stat. 2554), have situated thereon various objects of historic and scientific interest, and are necessary for the proper care, management and protection of unusual features of scientific interest within the said monument; and

Death Valley National Monument,  
Calif. and Nev.  
Preamble.  
47 Stat. 2554.

WHEREAS it appears that it would be in the public interest to reserve such lands as an addition to the Death Valley National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C. title 16 sec. 431), do proclaim that, subject to the provisions of the Act of Congress approved June 13, 1933 (48 Stat. 139), and to all valid existing rights, the following described lands in California and Nevada be, and the same are hereby added to and made a part of the Death Valley National Monument:

Area enlarged.

34 Stat. 225.  
16 U. S. C. § 431.  
48 Stat. 139.  
16 U. S. C. § 447.

Description.

MOUNT DIABLO MERIDIAN—CALIFORNIA

- T. 18 S., R. 44 E.,  
that part southwest of former west boundary of Monument (unsurveyed).
- T. 19 S., R. 44 E.,  
that part southwest of former west boundary of Monument (unsurveyed).
- T. 19 S., R. 45 E.,  
that part southwest of former west boundary of Monument.
- T. 20 S., R. 45 E.,  
that part west of former west boundary of Monument.

SAN BERNARDINO MERIDIAN—CALIFORNIA

- T. 25 N., R. 3 E.,  
those parts of secs. 5, 8, 16 and 17 lying southwest of a line parallel to and 500 ft. northeasterly from the center line of Dante's View highway.
- T. 18 N., R. 4 E.,  
secs. 1 to 12, inclusive; N½ sec. 13; N½ sec. 14; N½ sec. 15; N½ sec. 16; N½ sec. 17; N½ sec. 18 (partly unsurveyed).
- Tps. 19, 20 and 21 N., R. 4 E.  
(partly unsurveyed).
- T. 22 N., R. 4 E.,  
secs. 31 to 36, inclusive (partly unsurveyed).
- T. 18 N., R. 5 E.,  
secs. 1 to 12, inclusive; N½ sec. 13; N½ sec. 14; N½ sec. 15; N½ sec. 16; N½ sec. 17; N½ sec. 18 (partly unsurveyed).
- T. 19 N., R. 5 E.  
(partly unsurveyed).
- T. 20 N., R. 5 E.,  
secs. 25 to 36, inclusive (unsurveyed).



- T. 18 N., R. 6 E.,  
W½ sec. 5; secs. 6 and 7; W½ sec. 8; NW¼ sec. 17, N½  
sec. 18 (partly unsurveyed).  
T. 19 N., R. 6 E.,  
W½ sec. 5; secs. 6 and 7; W½ sec. 8; W½ sec. 17; secs. 18  
and 19; W½ sec. 20; W½ sec. 29; secs. 30 and 31; W½  
sec. 32 (unsurveyed).  
T. 20 N., R. 6 E.,  
W½ sec. 29; secs. 30 and 31; W½ sec. 32 (unsurveyed).

MOUNT DIABLO MERIDIAN—NEVADA

- T. 11 S., R. 42 E., (unsurveyed).  
Tps. 11 and 12 S., R. 43 E. (unsurveyed).  
Tps. 11, 12 and 13 S., R. 44 E. (unsurveyed).  
Tps. 11, 12, 13 and 14 S., R. 45 E. (partly unsurveyed),  
containing approximately 305,920 acres.

Warning against un-  
authorized acts.

Warning is hereby expressly given to all unauthorized persons not  
to appropriate, injure, destroy, or remove any feature of this monu-  
ment and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of  
the Secretary of the Interior, shall have the supervision, management,  
and control of the monument as provided in the act of Congress en-  
titled "An Act To establish a National Park Service, and for other  
purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C.  
title 16, secs. 1 and 2), and acts supplementary thereto or amendatory  
thereof.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

Certain Executive  
orders superseded.

The reservation made by this proclamation supersedes as to any of  
the above-described lands affected thereby the withdrawal made by  
Executive Order No. 6910 of November 26, 1934, as amended, and  
Executive Order of December 1, 1913, creating Public Water Reserve  
No. 13.

IN WITNESS WHEREOF, I have hereunto set my hand and  
caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of March, in the  
year of our Lord nineteen hundred and thirty-seven and  
[SEAL] of the Independence of the United States of America the  
one hundred and sixty-first.

FRANKLIN D ROOSEVELT

The President,  
CORDELL HULL  
*Secretary of State.*

ARMY DAY

March 29, 1937  
[No. 2229]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Senate Concurrent Resolution 5, 75th Congress, 1st  
Session, provides:

Army Day.  
Preamble.  
*Ante*, p. 1108.

Annual recognition  
provided for.

"That April 6 of each year be recognized by the Senate and  
House of Representatives of the United States of America as  
Army Day, and that the President of the United States be  
requested, as Commander in Chief, to order military units  
throughout the United States to assist civic bodies in appro-  
priate celebration to such extent as he may deem advisable;

to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the above Concurrent Resolution, do hereby declare April 6, 1937, Army Day, and I invite the Governors of the several States to issue Army Day proclamations; and, acting under the authority vested in me as Commander in Chief, I order military units throughout the United States, its Territories and possessions, to assist civic bodies in the appropriate observance of that day.

April 6, 1937, to be observed as.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 29th day of March, in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## ENLARGING THE TONTO NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 1, 1937  
[No. 2230]

### A PROCLAMATION

WHEREAS the area in the State of Arizona established as the Tonto National Monument by Proclamation of December 19, 1907, has situated thereon prehistoric ruins and ancient cliff dwellings which are of great ethnologic, scientific, and educational interest to the public; and

Tonto National Monument, Ariz.  
Preamble.  
35 Stat. 2168.

WHEREAS it appears that there are certain government-owned lands reserved by Proclamation of January 13, 1908, as a part of the Tonto National Forest, adjacent to the boundaries of the said monument, which are required for the proper care, management, and protection of the said historic ruins and ancient cliff dwellings:

35 Stat. 2176.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 1 of the act of June 4, 1897, ch. 2. 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), and section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Arizona are hereby excluded from the Tonto National Forest and reserved from all forms of appropriation under the public-land laws and added to and made a part of the Tonto National Monument:

Area enlarged.

30 Stat. 36.  
16 U. S. C. § 473.  
34 Stat. 225.  
16 U. S. C. § 431.

Lands excluded from Tonto National Forest.

#### GILA AND SALT RIVER MERIDIAN

Gila and Salt River Meridian.  
Description.

T. 4 N., R. 12 E.,  
sec. 26, SW¼;  
sec. 27, SE¼  
sec. 35, NW¼ (unsurveyed), containing approximately  
480 acres.

Warning against unauthorized acts.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

*Proviso.*  
Withdrawal for Salt River irrigation project.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof: *Provided*, that the administration of the monument shall be subject to the withdrawal for the Salt River Irrigation project, Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this first day of April in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

By the President.

CORDELL HULL

*The Secretary of State.*

FRANKLIN D ROOSEVELT

# CHILD HEALTH DAY

April 9, 1937  
[No. 2231]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Child Health Day.  
Preamble.  
45 Stat. 617.

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day; and

WHEREAS safeguarding the health of children is protecting the vitality of the Nation; and

WHEREAS during the past year the Federal Government has been cooperating with the State and local governments in extending and improving child-health services:

Designating May 1,  
1937, as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, on the twenty-fifth anniversary of the founding of the Children's Bureau of the United States Department of Labor, do hereby designate the first day of May of this year as Child Health Day, and do call upon the people of the United States on that day to consider and appraise child-health conditions and the community organization for child health, and to plan for health protection for every child during the coming year; and I call upon the children to celebrate the gains they have made in health during the year and to lend their aid to the community in its year-round effort to promote the health of the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

By the President:

CORDELL HULL

*Secretary of State.*

FRANKLIN D ROOSEVELT

ORGAN PIPE CACTUS NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 13, 1937  
[No. 2232]

A PROCLAMATION

WHEREAS certain public lands in the State of Arizona contain historic landmarks, and have situated thereon various objects of historic and scientific interest; and

Organ Pipe Cactus  
National Monument,  
Ariz.  
Preamble.

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Organ Pipe Cactus National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C. title 16, sec. 431), do proclaim that, subject to existing rights, the following-described lands in Arizona are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Organ Pipe Cactus National Monument:

Reserving certain  
lands for national  
monument.  
34 Stat. 225.  
16 U. S. C. § 431.

GILA AND SALT RIVER MERIDIAN

Description.

Beginning at a point on the southern boundary of the Papago Indian Reservation which is the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W.; thence south approximately five and one-half miles to the International Boundary; thence northwesterly along the International Boundary to the intersection with the position for the third meridional section line through unsurveyed T. 17 S., R. 8 W.; thence north on the third meridional section line through Tps. 17, 16, 15 and 14 S., R. 8 W. (unsurveyed), to the point for the corner of secs. 15, 16, 21 and 22; thence east on the third latitudinal section line through T. 14 S., Rs. 8, 7, 6 and 5 W., to the corner of sections 13, 18, 19 and 24, T. 14 S., Rs. 4 and 5 W., on the west boundary of the Papago Indian Reservation; thence southerly and easterly along the west boundary of the Papago Indian Reservation to the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W., which is the point of beginning, containing approximately 330,690 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against un-  
authorized acts.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof; *Provided*, that the administration of the monument shall be subject to: (1) Right of the Indians of the Papago Reservation to pick the fruits of the organ pipe cactus and other cacti, under such regulations as may be prescribed by the Secretary of the Interior; (2) Proclamation of May 27, 1907 (35 Stat. 2136); (3) Executive Order No. 5462 of October 14, 1930; and (4) Executive Order of November 21, 1923, reserving a 40-acre tract as a public water reserve.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

*Proviso.*  
Rights reserved.

35 Stat. 2136.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

Executive Order  
6910 superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13 day of April in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

EMERGENCY BOARD, SOUTHERN PACIFIC COMPANY (PACIFIC LINES)  
AND NORTHWESTERN PACIFIC RAILROAD COMPANY—EMPLOYES

April 14, 1937  
[No. 2233]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labor disputes,  
Southern Pacific Com-  
pany and the North-  
western Pacific Rail-  
road Company and  
their employees.  
Preamble.

WHEREAS the President, having been duly notified by the National Mediation Board that disputes between the Southern Pacific Company (Pacific Lines) and the Northwestern Pacific Railroad Company, carriers, and certain of their employees represented by

- Brotherhood of Locomotive Engineers;
- Brotherhood of Locomotive Firemen and Enginemen;
- Order of Railway Conductors;
- Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the states of California, Oregon, Nevada, Arizona, New Mexico and Texas to a degree such as to deprive that section of the country of essential transportation service;

Emergency board  
created to investigate  
and report thereon.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employes or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

44 Stat. 586.  
45 U. S. C. § 160.

Compensation, etc.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Expenditures.

47 Stat. 405.  
5 U. S. C. § 823.

Funds available for  
expenditures.  
49 Stat. 1177.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State*

# NATIONAL MARITIME DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 22, 1937  
[No. 2234]

## A PROCLAMATION

WHEREAS May 22 of each year has been designated as National Maritime Day by Public Resolution 7, Seventy-third Congress, approved May 20, 1933, reading as follows:

National Maritime Day.  
Preamble.  
48 Stat. 73.  
36 U. S. C. § 145.

“Whereas on May 22, 1819, the steamship The Savannah set sail from Savannah, Georgia, on the first successful trans-oceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.”:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1937, as National Maritime Day by displaying the flag at their homes or other suitable places, and do direct Government officials to display the flag on all Government buildings on that day.

Inviting observance of May 22, 1937, as.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 22nd day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

EMERGENCY BOARD, PENNSYLVANIA; LONG ISLAND; BALTIMORE AND OHIO; READING; CENTRAL RAILROAD OF NEW JERSEY; LEHIGH VALLEY; NEW YORK CENTRAL; NEW YORK, NEW HAVEN & HARTFORD; DELAWARE, LACKAWANNA AND WESTERN; AND ERIE RAILROADS—EMPLOYEES

April 26, 1937  
[No. 2235]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labor disputes,  
Pennsylvania Rail-  
road et al., and their  
employees.  
Preamble.

WHEREAS the President, having been duly notified by the National Mediation Board that disputes between the Pennsylvania; Long Island; Baltimore and Ohio; Reading; Central Railroad of New Jersey; Lehigh Valley; New York Central; New York, New Haven & Hartford; Delaware, Lackawanna & Western; and Erie Railroads, carriers, and certain of their employees represented by

Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees;  
International Longshoremens's Association;

which disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the state of New York and other states in the eastern part of the country to a degree such as to deprive that section of the country of essential transportation service;

Emergency board  
created to investigate  
and report thereon.

44 Stat. 586.  
45 U. S. C. § 160.

Compensation, etc.

Expenditures.

47 Stat. 405.  
5 U. S. C. § 823.

Funds available for  
expenditures.  
49 Stat. 1177.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employes or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the Board, including traveling expenses and in conformity with Public No. 212, 72nd Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of April in the year of our Lord nineteen hundred and thirty-seven, and of [SEAL] the Independence of the United States of America the one hundred and sixty first

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

*Secretary of State*

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO SPAIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 1, 1937

[No. 2236]

A PROCLAMATION

WHEREAS section 1 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

Export of arms, ammunition, and implements of war to Spain.  
Preamble.  
*Ante*, p. 121.

49 Stat. 1061, 1152.  
22 U. S. C., Supp. II, §§ 245a-245i.

Statutory provisions.

"Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state."

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation Numbered 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925."

49 Stat. 3503.

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"Whoever, in violation of any of the provisions of this Act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than \$10,000, or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223-225; U. S. C., 1934 ed., title 22, secs. 238-245)."

40 Stat. 223-225.  
22 U. S. C. §§ 238-245.

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammuni-



tion, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States."

AND WHEREAS it is further provided by section 11 of the said joint resolution that

"The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such officer or officers, or agency or agencies, as he shall direct."

Existence of civil strife in Spain proclaimed.

Citizens, residents, etc., admonished to abstain from law violations.

Articles to be considered arms, etc.

Categories.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution, do hereby proclaim that a state of civil strife unhappily exists in Spain and that such civil strife is of a magnitude and is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to Spain would threaten and endanger the peace of the United States, and I do hereby admonish all citizens of the United States, or any of its possessions, and all persons residing or being within the territory or jurisdiction of the United States, or its possessions, to abstain from every violation of the provisions of the joint resolution above set forth, hereby made effective and applicable to the export of arms, ammunition, or implements of war from any place in the United States to Spain or to any other state for transshipment to, or for the use of, Spain.

And I do hereby declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 1 of the said joint resolution of Congress:

#### *Category I*

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles for the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

#### *Category II*

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

#### *Category III*

(1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

*Category IV*

(1) Revolvers and automatic pistols using ammunition in excess of caliber .22;

(2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

*Category V*

(1) Aircraft, unassembled, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;

(2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;

(3) Aircraft engines, unassembled, assembled, or dismantled.

*Category VI*

(1) Livens projectors and flame throwers;

- (2) a. Mustard gas (dichlorethyl sulphide);
- b. Lewisite (chlorvinyl-dichlorarsine and dichlorovinyl-chlorarsine);
- c. Methyl-dichlorarsine;
- d. Diphenyl-chlorarsine;
- e. Diphenyl-cyanarsine;
- f. Diphenylamine-chlorarsine;
- g. Phenyl-dichlorarsine;
- h. Ethyl-dichlorarsine;
- i. Phenyl-dibromarsine;
- j. Ethyl-dibromarsine;
- k. Phosgene;
- l. Monochloromethylchlorformate;
- m. Trichloromethylchlorformate (diphosgene);
- n. Dichlorodimethyl Ether;
- o. Dibromodimethyl Ether;
- p. Cyanogen Chloride;
- q. Ethylbromacetate;
- r. Ethyliodoacetate;
- s. Brombenzylcyanide;
- t. Bromacetone;
- u. Brommethylethyl ketone.

*Category VII*

(1) Propellant powders;

(2) High explosives as follows:

- a. Nitrocellulose having a nitrogen content of more than 12%;
- b. Trinitrotoluene;
- c. Trinitroxylene;
- d. Tetryl (trinitrophenol methyl nitramine or tetranitromethylaniline);
- e. Picric acid;
- f. Ammonium picrate;
- g. Trinitroanisol;
- h. Trinitronaphthalene;
- i. Tetranitronaphthalene;
- j. Hexanitrodiphenylamine;
- k. Pentaerythritetetrani-trate (Penthrite or Pentrite);
- l. Trimethylenetrinitramine (Hexogen or T<sub>4</sub>);
- m. Potassium nitrate powders (black saltpeter powder);
- n. Sodium nitrate powders (black soda powder);

Categories—Continued.

Category VII—Continued.

(2) High explosives—Continued.

- o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
- p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
- q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

Officers to prevent violations.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

Secretary of State empowered to promulgate rules, etc.

And I do hereby delegate to the Secretary of State the power to exercise any power or authority conferred on me by the said joint resolution, as made effective by this my proclamation issued thereunder, and the power to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of its provisions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May, in the year of our Lord nineteen hundred and thirty-seven, and of the  
[SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

May 1, 1937  
[No. 2237]

Arms, ammunition, and implements of war.  
Preamble.  
*Ante*, p. 121.

49 Stat. 1081, 1152.  
22 U. S. C., Supp.  
II, §§ 245a-245i.

WHEREAS section 5 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

"The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section."

Declaring designated articles as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Con-

gress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall, on and after June 1, 1937, be considered arms, ammunition, and implements of war for the purposes of section 5 of the said joint resolution of Congress:

*Category I*

Categories.

- (1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;
- (2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;
- (3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;
- (4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles for the arms enumerated under (3) above;
- (5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;
- (6) Tanks, military armored vehicles, and armored trains.

*Category II*

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

*Category III*

- (1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;
- (2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

*Category IV*

- (1) Revolvers and automatic pistols using ammunition in excess of caliber .22;
- (2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

*Category V*

- (1) Aircraft, unassembled, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;
- (2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;
- (3) Aircraft engines, unassembled, assembled, or dismantled.

*Category VI*

- (1) Livens projectors and flame throwers;
- (2) a. Mustard gas (dichlorethyl sulphide);  
b. Lewisite (chlorvinylchlorarsine and dichlorovinylchlorarsine);  
c. Methylchlorarsine;  
d. Diphenylchlorarsine;  
e. Diphenylcyanarsine;  
f. Diphenylaminechlorarsine;  
g. Phenylchlorarsine;

Categories—Continued.

*Category VI—Continued.*

- h. Ethyldichlorarsine;
- i. Phenyldibromarsine;
- j. Ethyldibromarsine;
- k. Phosgene;
- l. Monochlormethylchlorformate;
- m. Trichlormethylchlorformate (diphosgene);
- n. Dichlordimethyl Ether;
- o. Dibromdimethyl Ether;
- p. Cyanogen Chloride;
- q. Ethylbromacetate;
- r. Ethyliodoacetate;
- s. Brombenzylcyanide;
- t. Bromacetone;
- u. Brommethylethyl ketone.

*Category VII*

- (1) Propellant powders;
- (2) High explosives as follows:
  - a. Nitrocellulose having a nitrogen content of more than 12%;
  - b. Trinitrotoluene;
  - c. Trinitroxylyene;
  - d. Tetryl (trinitrophenol methyl nitramine or tetranitromethylaniline);
  - e. Picric acid;
  - f. Ammonium picrate;
  - g. Trinitroanisol;
  - h. Trinitronaphthalene;
  - i. Tetranitronaphthalene;
  - j. Hexanitrodiphenylamine;
  - k. Pentaerythritetetrinitrate (Penthrite or Pentrite);
  - l. Trimethylenetrinitramine (Hexogen or T<sub>4</sub>);
  - m. Potassium nitrate powders (black saltpeter powder);
  - n. Sodium nitrate powders (black soda powder);
  - o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
  - p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
  - q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

Former proclamation superseded.  
49 Stat. 3503.

This proclamation shall supersede the proclamation of April 10, 1936, entitled "Enumeration of Arms, Ammunition, and Implements of War", on June 1, 1937.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May, in the year of our Lord nineteen hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

NATIONAL AVIATION DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 26, 1937  
[No. 2238]

A PROCLAMATION

WHEREAS the people of the United States may justly claim to have taken a leading part in the development of the science of aeronautics and to enjoy today an outstanding position among the nations of the world in the use of air transport; and

National Aviation Day.  
Preamble.

WHEREAS Public Resolution No. 32 Seventy-fifth Congress, first session, approved May 25, 1937, provides in part:

Statutory provisions.  
*Ante*, p. 202.

"That the President of the United States is authorized to designate May 28, 1937, as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting in accord with the purposes of the Congress to stimulate interest in aviation with a view to the further advancement of the science of aeronautics, do hereby call upon the people of the United States to observe May 28, 1937, as National Aviation Day with appropriate exercises, and do direct Government officials to display the flag on all Government buildings on that day.

Observance invited.  
May 28, 1937.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-seven, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

*Acting Secretary of State.*

TERCENTENARY OF BIRTH OF PERE MARQUETTE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 27, 1937  
[No. 2239]

A PROCLAMATION

WHEREAS the preamble to Public Resolution No. 33, Seventy-fifth Congress, first session, approved May 27, 1937, requesting the President to proclaim the tercentenary of the birth of Pere Jacques Marquette, recites:

Tercentenary of birth of Pere Marquette.  
Preamble.  
Statutory provisions.  
*Ante*, p. 207.

"Whereas the 1st day of June 1937 marks the three-hundredth anniversary of the birth of Pere Jacques Marquette, the first white man to explore the upper Mississippi Valley; and

"Whereas it is eminently fitting that the tercentenary of the birth of this zealous missionary and fearless explorer should be commemorated by suitable patriotic, religious, and public exercises during such year:"

AND WHEREAS the text of the said Public Resolution provides:

"That the President of the United States is authorized and requested to issue a proclamation calling upon all officials of the Government to display the flag of the United States on all Government buildings on June 1, 1937, and inviting all people of the United States to observe the day and the anniversary year in schools, churches, and other suitable places, with appropriate ceremonies commemorating the tercentenary of the birth of Pere Jacques Marquette.":

Observance invited,  
June 1, 1937.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, do hereby direct all Government officials to display the flag of the United States on all Government buildings on the first day of June 1937, and I invite all people of the United States to observe that day and anniversary year in schools, churches, and other suitable places with appropriate ceremonies commemorating the tercentenary of the birth of Pere Jacques Marquette.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-seven, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

*Acting Secretary of State.*

# REVOCATION OF PROCLAMATION No. 2223 OF FEBRUARY 1, 1937, AUTHORIZING FREE ENTRY OF SUPPLIES IMPORTED FOR USE IN EMERGENCY FLOOD RELIEF WORK

May 27, 1937  
[No. 2240]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Emergency flood relief.  
Preamble.  
*Ante*, p. 1811.  
46 Stat. 696.  
19 U. S. C. § 1318.

WHEREAS by Proclamation No. 2223 of February 1, 1937, issued under the authority of section 318 of the Tariff Act of 1930 (46 Stat. 696), an emergency was declared to exist on account of disastrous floods then occurring in the valleys of the Ohio and Mississippi rivers and tributaries thereof, making it necessary to extend aid on a large scale to the flood sufferers; and

WHEREAS by the said proclamation the Secretary of the Treasury is authorized to permit during the continuance of the emergency, and within such limits and subject to such conditions as he might deem necessary, the importation free of duty of such food, clothing, and medical, surgical, and other supplies as he might designate, when imported for use in such emergency relief work; and

WHEREAS the said proclamation provides that the termination of the emergency shall be determined by the President and declared by his proclamation:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, have determined, and do hereby declare and proclaim, that the emergency on which Proclamation No. 2223 of February 1, 1937, was based no longer exists, and I do hereby revoke the said proclamation.

Proclamation authorizing free entry of supplies, etc., revoked.  
Ante, p. 1811.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27<sup>th</sup> day of May in the year of our Lord nineteen hundred and thirty-seven, and of the  
[SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

*Acting Secretary of State.*

CONVEYING TO THE PEOPLE OF PUERTO RICO CERTAIN LAND HERETOFORE RESERVED FOR PURPOSES OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 16, 1937  
[No. 2241]

### A PROCLAMATION

WHEREAS the President of the United States, under an act of Congress approved March 2, 1917 (39 Stat. 951-968), entitled "AN ACT To provide a civil government for Porto Rico, and for other purposes," is authorized to convey to the people of Puerto Rico from time to time, in his discretion, such lands, buildings, or interests in land or other property now owned by the United States and within the territorial limits of Puerto Rico as in his opinion are no longer needed for purposes of the United States; and

Puerto Rico.  
Preamble.  
39 Stat. 954.

WHEREAS the island within the territorial limits of Puerto Rico known as Desecheo Island, heretofore reserved by Executive Order No. 1669 of December 19, 1912, as a preserve and breeding ground for native birds, is no longer needed for purposes of the United States; and

WHEREAS this island is desired by the Insular Government of Puerto Rico for use as a forest reserve and as a preserve and breeding ground for native birds, and may be advantageously used by the people of Puerto Rico;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, by virtue of the authority in me vested, do hereby proclaim and make known that Desecheo Island, located in Mona Passage, Puerto Rico, approximately in latitude eighteen degrees twenty-three minutes north, longitude sixty-seven degrees twenty-nine minutes west from Greenwich, as indicated upon the diagram hereto attached and made a part hereof, is hereby transferred and conveyed, subject to the reservations and conditions hereafter mentioned, to the people of Puerto Rico to be used for forest reserve and native bird preserve purposes only.

Desecheo Island transferred to people of Puerto Rico.



Rights reserved.

Reversionary provision.

There is reserved to the United States the right to occupy such areas of Desecheo Island as may be needed for the establishment of aids to navigation, together with rights for landing and ingress and egress to the areas so occupied by the United States.

In the event that Desecheo Island shall cease to be used for forest reserve and native bird preserve purposes, or be devoted to any other than forest reserve and native bird preserve purposes, the same shall revert to the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16<sup>th</sup> day of June, in the year of our Lord nineteen hundred and thirty-seven, and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

## ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE CONSTITUTION

July 4, 1937

[No. 2242]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

One hundred and fiftieth anniversary of the Constitution and inauguration of the first President.

WHEREAS the Constitution of the United States was signed on September 17, 1787, and had by June 21, 1788, been ratified by the necessary number of States; and

WHEREAS George Washington was inaugurated as the first President of the United States on April 30, 1789:

Setting apart period for commemoration of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate the period from September 17, 1937, to April 30, 1939, as one of commemoration of the one hundred and fiftieth anniversary of the signing and the ratification of the Constitution and of the inauguration of the first President under that Constitution.

In commemorating this period we shall affirm our debt to those who ordained and established the Constitution "in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity".

We shall recognize that the Constitution is an enduring instrument fit for the governing of a far-flung population of more than one hundred and thirty million engaged in diverse and varied pursuits, even as it was fit for the governing of a small agrarian nation of less than four million.

It is therefore appropriate that in the period herein set apart we shall think afresh of the founding of our Government under the Constitution, how it has served us in the past and how in the days to come its principles will guide the nation ever forward.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this fourth day of July, in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

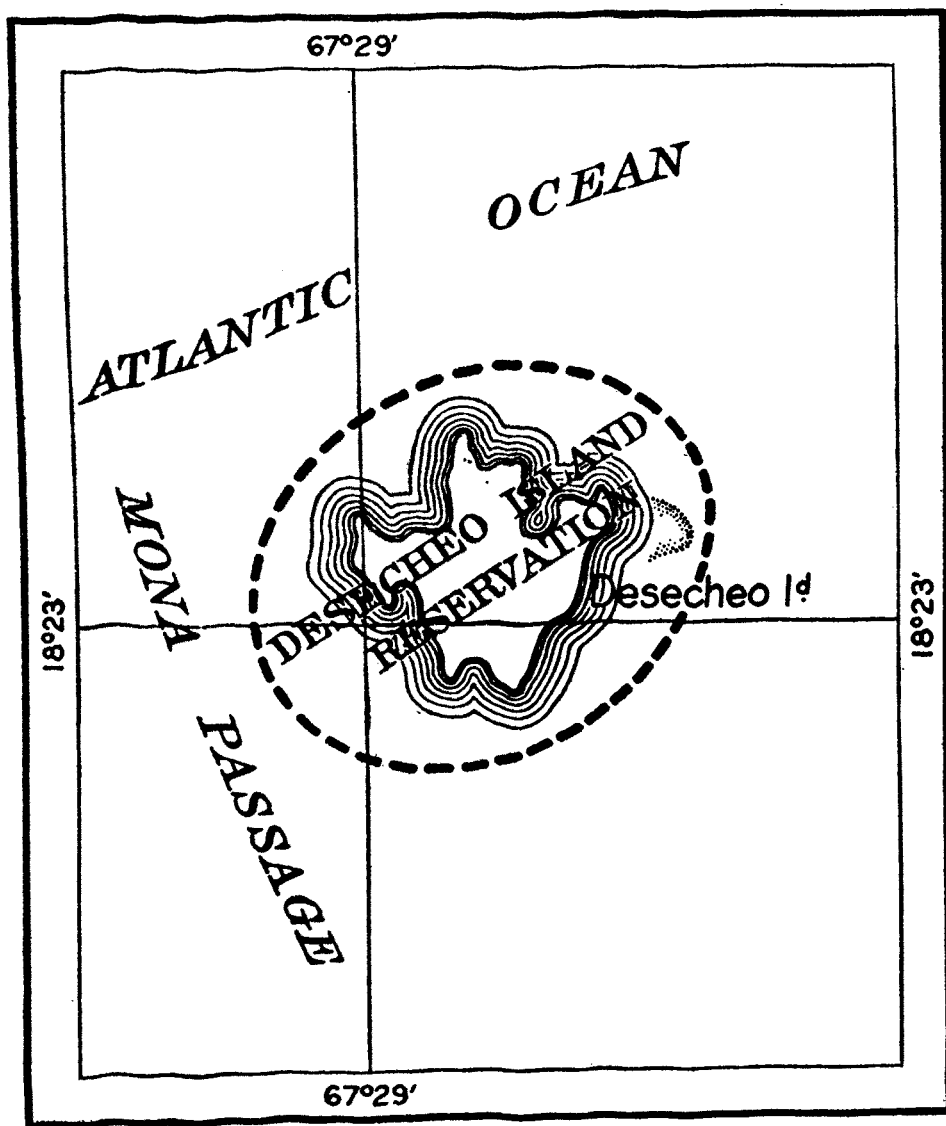
*Secretary of State.*

# DESECHEO ISLAND RESERVATION

For Protection of Native Birds

## PUERTO RICO

*Embracing Desecheo Island in Mona Passage,  
as segregated by broken line and designated  
"Desecheo Island Reservation."*



DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE

Fred W. Johnson, Commissioner

ENLARGING THE WUPATKI NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1937  
[No. 2243]

A PROCLAMATION

WHEREAS certain land contiguous to the Wupatki National Monument, established by Proclamation of December 9, 1924 (43 Stat. 1977), have situated thereon prehistoric and archaeological ruins of historic and scientific interest; and

Wupatki National  
Monument, Ariz.  
Preamble.  
43 Stat. 1977.

WHEREAS there are other lands contiguous to the said Monument which are necessary for the proper care, management, and protection of the prehistoric ruins situated on the lands now included in the aforesaid Monument and on the additional lands above referred to; and

WHEREAS it appears that it would be in the public interest to reserve such lands as an addition to the Wupatki National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to the withdrawal made by order of the Secretary of the Interior of July 9, 1934, in aid of the consolidations authorized by the act of June 14, 1934, ch. 521, 48 Stat. 960, and subject to all valid existing rights, the following-described lands in Arizona are hereby reserved and added to and made a part of the Wupatki National Monument:

Area enlarged.  
34 Stat. 225.  
16 U. S. C. § 431.

48 Stat. 960.  
Lands added.

GILA AND SALT RIVER MERIDIAN

Description.

- T. 25 N., R. 8 E.,
  - sec. 1, N½ and SW¼;
  - secs. 2 and 11;
  - sec. 12, W¼ and SE¼;
  - secs. 13 and 14;
  - All those parts of secs. 3, 10 and 15 lying east of the east line of the right of way of U. S. Highway No. 89;
- T. 25 N., R. 9 E.,
  - secs. 1 to 4, inclusive;
  - sec. 5, E½;
  - sec. 7, S½;
  - secs. 8 to 18, inclusive;
- T. 26 N., R. 9 E., sec. 32, N½;
- T. 25 N., R. 10 E.,
  - sec. 1, lots 1 to 4, inclusive, W¼ SW¼ and SE¼ SW¼;
  - sec. 2, lots 1 to 5, inclusive, S¼ NW¼ and S¼;
  - secs. 3 to 12, and 14 to 22, inclusive;
  - secs. 28 and 29;
  - sec. 30, S½;
  - secs. 31 and 32;
- T. 26 N., R. 10 E.,
  - sec. 16, SW¼;
  - sec. 17, SE¼;
  - sec. 20;
  - sec. 21, NW¼;
  - secs. 29 and 32, containing 33,631.20 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this Monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts, etc.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the Monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9<sup>th</sup> day of July in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,  
CORDELL HULL  
*Secretary of State.*

### ENLARGING HARNEY NATIONAL FOREST—SOUTH DAKOTA AND WYOMING

July 12, 1937  
[No. 2244]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Harney National  
Forest, S. Dak. and  
Wyo.  
Preamble.

Area enlarged.

26 Stat. 1103.  
16 U. S. C. § 471.

30 Stat. 36.  
16 U. S. C. § 473.

WHEREAS it appears that it would be in the public interest to add certain hereinafter-described lands to the Harney National Forest in South Dakota and Wyoming:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and the act of June 4, 1897, 30 Stat. 11, 34, 36 (U. S. C., title 16, sec. 473), do proclaim that, subject to all valid existing rights, all lands of the United States within the following-described areas are hereby included in and reserved as a part of the Harney National Forest, and that all lands within such areas which may hereafter be acquired by the United States for forestry purposes shall upon acquisition be reserved and administered as part of such Forest:

Description.

#### BLACK HILLS MERIDIAN

- T. 8 S., R. 3 E.,  
secs. 1, 12, 13, 24, 25 and 36;  
sec. 35, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼ and SE¼;
- T. 6 S., R. 4 E.,  
sec. 1, SW¼NE¼, NW¼ and S½,  
secs. 2, 11, 12, 13,  
secs. 20 to 29, and 33 to 36, inclusive;
- T. 7 S., R. 4 E.,  
secs. 1, 2, 3, 10, 11, 12,  
secs. 25 to 29, and 31 to 36, inclusive;
- T. 8 S., R. 4 E.,  
secs. 1 to 33, inclusive,  
all of secs. 34 and 35 lying north and west of the Cheyenne  
River,  
all sec. 36 lying north of said river;

- T. 9 S., R. 4 E.,  
all sec. 2 lying west of said river,  
sec. 3, all of E $\frac{1}{2}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$  lying north and west and  
of S $\frac{1}{2}$ SW $\frac{1}{4}$  lying south and west of said river,  
all sec. 4 lying west of said river,  
sec. 5, E $\frac{1}{2}$ ,  
sec. 6, E $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
sec. 9,  
all sec. 10 lying west of said river;
- T. 6 S., R. 5 E.,  
all of secs. 5 and 6 not part of the national forest,  
sec. 7,  
sec. 8, NE $\frac{1}{4}$  and W $\frac{1}{2}$ ,  
sec. 9, S $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ,  
sec. 16, W $\frac{1}{2}$ ,  
sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and S $\frac{1}{2}$ ,  
sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  and  
S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ,  
secs. 22, and 27 to 34, inclusive;
- T. 7 S., R. 5 E.,  
secs. 3 to 10, inclusive,  
secs. 15, 16, 21, 22, and  
secs. 25 to 36, inclusive;
- T. 8 S., R. 5 E.,  
secs. 1 to 30, inclusive,  
all of secs. 31 and 32 lying north and east of the Cheyenne  
River, and  
secs. 33, 34, 35 and 36;
- T. 9 S., R. 5 E.,  
all of secs. 1 and 2 lying north of said river,  
secs. 3 and 4,  
all sec. 5 lying east of said river,  
all of secs. 8 to 12, inclusive, lying north of said river;
- T. 7 S., R. 6 E.,  
all of secs. 30, 32 and 33 lying south and west of Fall  
River, and  
sec. 31;
- T. 8 S., R. 6 E.,  
all sec. 4 lying west of the Cheyenne and Fall Rivers,  
secs. 5, 6 and 7,  
all of secs. 8, 9, 10 and 17 lying north and west of the  
Cheyenne River,  
secs. 18, 19, 30 and 31, and  
all of secs. 20, 28, 29, 32 and 33 lying west of said river;
- T. 9 S., R. 6 E.,  
sec. 4, all of N $\frac{1}{2}$  lying south and west and all of S $\frac{1}{2}$  lying  
north and west of said river,  
all of secs. 5, 7 and 8 lying north and west of said river,  
and  
sec. 6.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes made by Executive Orders No. 6888 of October 29, 1934, and No. 6909 of November 21, 1934.

Rights, etc., not  
affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12<sup>th</sup> day of July in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,  
CORDELL HULL  
*Secretary of State.*

## REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Regulations relating to migratory birds and certain game mammals.  
Preamble.  
40 Stat. 755; 49 Stat. 1555.  
16 U. S. C. §§ 704, 705; Supp. II, §§ 704, 705.

Terms of Convention with Great Britain.  
39 Stat. 1702.  
Convention with United Mexican States.

WHEREAS the Acting Secretary of Agriculture, pursuant to sections 3 and 4 of the Migratory Bird Treaty Act (40 Stat. 755), as amended June 20, 1936 (49 Stat. 1555), has adopted and submitted to me regulations which he has determined to be suitable regulations permitting and governing (1) hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of migratory birds and parts, nests, and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February seventh, nineteen hundred and thirty-six, and (2) exportation and importation to and from Mexico of game mammals, parts and products thereof, included in the aforesaid Convention between the United States and the United Mexican States, which said regulations are as follows:

#### REGULATIONS ADOPTED BY THE SECRETARY OF AGRICULTURE PURSUANT TO THE MIGRATORY BIRD TREATY ACT

Regulations adopted by Secretary of Agriculture.

Pursuant to the authority and direction contained in sections 3 and 4 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the Act of June 20, 1936 (49 Stat. 1555), I, M. L. Wilson Acting Secretary of Agriculture, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August sixteenth, nineteen hundred and sixteen, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February seventh, nineteen hundred and thirty-six, and having due regard to the laws of the United Mexican States relating to the exportation and importation of game mammals, and parts and products thereof, included in the terms of the said Convention between the United States and the United Mexican States and to the laws of the States and Territories and of the District of Columbia from and into which such mammals, parts and products thereof, may be proposed to be exported or imported, and to the laws of the United States forbidding

importation of certain live mammals injurious to the interests of agriculture and horticulture, have determined when, to what extent, and by what means it is compatible with the terms of said Conventions and Act to allow hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of such birds and parts thereof and their nests and eggs, and exportation and importation of such mammals to and from Mexico, and, in accordance with such determinations, do hereby adopt the following regulations as suitable regulations permitting and governing hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of said migratory birds and parts, nests, and eggs thereof, and the exportation and importation of game mammals, parts, and products thereof to and from Mexico:

# Regulation 1.—DEFINITIONS OF MIGRATORY BIRDS AND GAME MAMMALS

Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals, concluded, respectively, August 16, 1916 and February 7, 1936, are as follows:

Definitions.

## 1. Migratory game birds:

Migratory game birds.

(a) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.

(b) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.

(c) Rallidae, or rails, including coots, gallinules, and sora and other rails.

(d) Limicolae (Charadrii), or shore birds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turn-stones, willet, woodcock, and yellowlegs.

Migratory insectivorous, etc., non-game birds.

(e) Columbidae, or pigeons, including doves and wild pigeons.

2. Migratory insectivorous and other migratory nongame birds: Cuckoos, flickers and other woodpeckers; nighthawks, or bullbats, chuck-wills-widows, poor-wills, and whip-poor-wills; swifts; hummingbirds; kingbirds, phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks, finches, sparrows, and buntings; tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits; catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers; robins and other thrushes; all other perching birds which feed entirely or chiefly on insects; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, and terns.

Game mammals.

Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

# Regulation 2.—DEFINITIONS OF TERMS.

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

Terms defined.

Secretary.—The Secretary of Agriculture of the United States.

Chief of the Bureau.—The Chief of the Bureau of Biological Survey, United States Department of Agriculture.

Person.—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

Take.—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Open season.—The time during which migratory birds may be taken.

Transport.—Ship, transport, carry, export, import, and receive or deliver for shipment, transportation, carriage, exportation, or importation.

### Regulation 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Means for taking birds.

The migratory game birds for which open seasons are specified in regulation 4 of these regulations may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 of these regulations, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined; they may be taken during the open season from land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), powerboat, sailboat, any boat under sail, and any craft or device of any kind towed by powerboat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind.

Post, p. 1850.

Waterfowl.

Post, p. 1850.

Waterfowl (except for propagation, scientific, or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves and white-winged doves are not permitted to be taken by means, aid, or use, directly or indirectly, of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed, regardless of the distance intervening between any such grain, salt, or feed and the position of the taker; and in the taking of waterfowl, the use, directly or indirectly, of live duck or goose decoys is not permitted, regardless of the distance intervening between any such live decoys and the position of the taker; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a powerboat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up waterfowl.

Hunting stamps.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Open seasons on and possession of certain migratory game birds.

### Regulation 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Time prescribed. Waterfowl.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., and rails and gallinules (other than coot), Wilson's snipe or jacksnipe,



woodcock, mourning doves, white-winged doves, and band-tailed pigeons from 7 a. m., to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 of these regulations, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State or Territory, or in the District of Columbia, during the period constituting the open season where taken and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State or Territory, or in the District of Columbia at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

45 Stat. 1222.

Waterfowl, Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

In Colorado, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New York (except Long Island), North Dakota, Ohio, Oklahoma, South Dakota, Vermont, Wisconsin, and Wyoming, October 9 to November 7.

In Connecticut, Delaware, Idaho, Illinois, Indiana, Kentucky, Missouri, Nevada, New Jersey, New Mexico, that portion of New York known as Long Island, Oregon, Pennsylvania, Rhode Island, Utah, Washington and West Virginia, November 1 to November 30.

In Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, November 27 to December 26.

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the one hundred and forty-first meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the one hundred and forty-first meridian to Dixons Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules (except coot).—The open season for rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Rails and gallinules.

Washington and Massachusetts, October 1 to November 30.

New York (except Long Island), October 9 to November 7.

That portion of New York known as Long Island, November 1 to November 30.

Wisconsin, October 9 to November 7.

Alabama, November 20 to January 31.

Louisiana, November 1 to January 31.

District of Columbia, no open season.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Woodcock.

Wisconsin, October 17 to October 31.

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany, and north of the tracks of the main line of the Boston and Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Pennsylvania, Michigan, and North Dakota, October 1 to October 31.

That portion of New York lying south of the line above described, and in Delaware, New Jersey, Ohio, Indiana, and Iowa, October 15 to November 14.

That portion of New York known as Long Island, November 1 to November 30.

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20.

Missouri, November 10 to December 10.

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15.

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Mourning doves.

Mourning doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nebraska, Nevada, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15.

Delaware, September 15 to November 1 and November 15 to December 15.

Maryland, September 1 to September 30 and November 15 to December 31.

Florida (except in Dade, Broward, and Monroe Counties), November 20 to January 31.

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15.

Louisiana and Mississippi, September 15 to October 1 and November 20 to January 15.

North Carolina, September 15 to October 15 and December 20 to January 31.

Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; and South Carolina, in the counties of Aiken, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 15 to October 15 and December 20 to January 31.

Alabama, Georgia, and South Carolina, in the counties other than those aforesaid, November 20 to January 31.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

White-winged doves.

White-winged doves.—The open seasons for white-winged doves shall be as follows, both dates inclusive:

Arizona, August 5 to September 3.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

Band-tailed pigeons.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California, December 1 to December 15.  
 Arizona and Oregon, October 16 to October 30.  
 New Mexico, October 1 to October 15.  
 Washington, September 16 to September 30.

**Regulation 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS**

A person may take in any one day during the open seasons prescribed therefor in regulation 4 of these regulations not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Daily bag limits.  
*Ante*, p. 1846.

Ducks (except wood duck, canvasback duck, redhead duck, ruddy duck, and bufflehead duck).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Ducks.

Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).—Five in the aggregate of all kinds, and any person at any one time may possess not more than 5 geese and brant in the aggregate of all kinds.

Geese and brant.

Rails and gallinules (except sora and coot).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Rails and gallinules.

Sora.—Fifteen, and any person at any one time may possess not more than 15.

Sora.

Coot.—Twenty-five, and any person at any one time may possess not more than 25.

Coot.

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Wilson's snipe or jacksnipe.

Woodcock.—Four, and any person at any one time may possess not more than 4.

Woodcock.

Mourning doves and white-winged doves.—Fifteen in the aggregate of both kinds, and any person at any one time may possess not more than 15 in the aggregate of both kinds.

Mourning doves and white-winged doves.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

Band-tailed pigeons.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, white-winged doves, and band-tailed pigeons taken in Canada, Mexico, or other foreign country and brought into the United States, as to those taken in the United States.

**Regulation 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS**

Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken, and parts thereof, may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada or Mexico, and if from Mexico are accompanied by a Mexican export permit, may be transported into the United States during the open season in the Province, State, or District where killed, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of

Shipment, transportation, and possession restrictions.

the State where taken or from Canada or Mexico into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where taken, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State or Territory, or the District of Columbia, to or through another State or Territory, or the District of Columbia, or to or through Canada or Mexico contrary to the laws of the State or Territory, or the District of Columbia in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State or Territory, or the District of Columbia from another State or Territory, or the District of Columbia, or from Canada or Mexico, or from any State or Territory, or the District of Columbia into any Province of the Dominion of Canada or into Mexico at a time when any such State, Territory, District, or Province, or Mexico, into which they are transported, prohibits the possession or transportation thereof.

Importations other than from Canada and Mexico.

*Ante*, p. 1846.

Migratory game birds imported from countries other than Canada and Mexico.—Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made), may be transported to and possessed in any State or Territory, during the open season prescribed by said regulation 4 in such State or Territory for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5 of these regulations, if transportation and possession of such birds is not prohibited by the laws of such State, Territory, or District and if transported in packages marked as hereinbefore provided.

#### Regulation 7.—TAKING OF CERTAIN MIGRATORY NON-GAME BIRDS BY ESKIMOS AND INDIANS IN ALASKA

Taking of certain birds by Eskimos and Indians in Alaska.

In Alaska Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murrees, and puffins and their eggs and skins for the use of themselves and their immediate families for food and clothing.

#### Regulation 8.—PERMITS TO PROPAGATE MIGRATORY WATERFOWL

Permits to propagate migratory waterfowl.

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is

taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, purchase, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, purchase, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; but may not purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such waterfowl and their eggs; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or purchased unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

Use of.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

Applications for permits.

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of application for a permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which they were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports therein provided for will be cause for revocation of the permit.

Permittee to keep records.

Reports.

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

Inspections.

## State permits.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl or their eggs unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of migratory waterfowl or their eggs from Mexico into the United States unless such waterfowl or eggs are accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act.

## Possession, etc., for personal use without permit.

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now legally possessed or hereafter legally acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese legally killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, purchased, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for such similar commercial purposes, but not for millinery or ornamental purposes.

## Feathers.

## Marking, etc., packages.

8. Every package in which migratory waterfowl or parts or eggs thereof are shipped wholly within a State or Territory, or the District of Columbia, or in which such waterfowl, parts, or eggs are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is shipped or transported and the purpose for which the waterfowl or eggs are being shipped or transported.

## Permits to collect specimens.

### Regulation 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR SCIENTIFIC PURPOSES

## Scientific collections.

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder, and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any means or at any time of the day not permitted by regulations 3 and 4 of these regulations.

## Applications.

2. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which migratory birds or their nests or eggs are proposed to be taken, the purpose for which they are intended, information sufficient to show that such birds, nests or eggs permitted to be taken will be devoted to scientific

purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

3. A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes but not to purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such birds, nests or eggs, or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no such birds, nests, or eggs shall be taken without a permit or purchased from, sold to, or exchanged with a person not authorized by these regulations or by a permit issued thereunder to sell, purchase or exchange them. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

Limitations.

4. A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird, or nest or egg thereof delivered to him for mounting or other preparation by any person who has legally taken or legally possesses it and may transport such bird, nest or egg in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each migratory bird or nest or egg thereof to him, together with the name of each species, the date of delivery, the disposition of each such bird, nest or egg and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

Taxidermists.

Books and records to be kept.

Inspection.

5. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird, or nest or egg thereof, unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of any migratory bird, or part, nest or egg thereof from Mexico into the United States unless such bird, or part, nest, or egg is accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports herein provided for will be cause for revocation of the permit.

State permits.

Revocation.

Reports.

**Marking packages.**

6. Every package in which migratory birds or parts, nests or eggs thereof are shipped wholly within a State or Territory or the District of Columbia, or in which such birds, parts, nests, or eggs are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, for scientific purposes shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes.

**Permits to kill migratory birds injurious to property.**

**Regulation 10.—PERMITS TO KILL MIGRATORY BIRDS INJURIOUS TO PROPERTY**

**Community injury.**

**Community injury.**—When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times and by what means. Upon his determination an appropriate order will be made.

**Specific injury.**

**Specific injury.**—Upon receipt by the Chief of the Bureau, or the Regional Director of the Bureau of Biological Survey in the region where the injury occurs, of information from the owner, tenant, or share cropper that migratory birds are injuring his crops or other property on the land on which he resides, together with a statement of the location of the land, the nature of the crops or property being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or so many thereof as may be necessary, a permit to kill the birds will be issued by said Chief of the Bureau or Director, in which permit will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case: *Provided, however,* That in every permit issued as aforesaid it shall be specified that no such birds shall be shot at or killed at any time or in any manner not authorized by the laws of the State in which such permit is effective; and as to migratory waterfowl, that they shall not be shot at or killed (1) from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial, movable or stationary, or on land or water; (2) by means of any gun larger than no. 10 gage, or of any gun to which a silencer has been attached or otherwise affixed; and (3) by the use of decoys of any description, or of traps or nets of any kind.

**Proviso.  
Restriction.**

**Records to be kept.**

Every person exercising any privilege hereinbefore in this regulation provided for shall keep an accurate record of all migratory birds killed by him and whenever requested by the Chief of the Bureau or by the Regional Director shall submit promptly, on a form provided by the Bureau for the purpose, a report correctly stating the species and number of each species of migratory birds killed by him and in any event shall submit such report to the Regional Director on or before January 10 of each year. Failure to submit a report as required by this regulation will be sufficient cause for revocation of any permit or withdrawal of any privilege accorded any person failing to make the report.



Regulation 11.—STATE LAWS FOR THE PROTECTION OF  
MIGRATORY BIRDS

Nothing in these regulations or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State or Territory, or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by these regulations.

State laws for protection of migratory birds.

Regulation 12.—TRANSPORTATION OF GAME MAMMALS TO  
AND FROM MEXICO

Game mammals, parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the Collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired and are being transported in compliance with the laws and regulations of such State, Territory, or District.

Transportation of game mammals to and from Mexico.

Live game mammals authorized by a special permit issued by the Secretary of Agriculture, pursuant to Section 241 of the Penal Code, to be imported, and the dead bodies, parts or products of game mammals, proceeding from Mexico, if accompanied by a Mexican export permit, may be transported into the United States, but their possession in any State, Territory, or the District of Columbia will be subject to the laws of such State, Territory, or District.

Special permits.  
18 U. S. C. § 391.

The Migratory Bird Treaty Act Regulations approved July 31, 1918 (40 Stat. 1912) and all amendments thereof are hereby revoked, but all regulations heretofore adopted and approved pursuant to said Act closing areas of land and water or of land or water adjacent to migratory bird sanctuaries, refuges, reservations, and breeding and feeding grounds to the taking of migratory birds, and all orders and permits of the Secretary of Agriculture heretofore made or issued pursuant to said Act and now in force authorizing the killing or other disposition of certain species of migratory birds when injurious to crops and other property and interests and the taking, possession, sale, purchase, exchange, or transportation of migratory birds and their nests and eggs for scientific purposes, and migratory waterfowl for propagating purposes, are hereby continued and extended in full force and effect as regulations, orders, and permits adopted and approved or made or issued hereunder.

Former regulations revoked.  
40 Stat. 1812.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States Department of Agriculture to be affixed.

DONE at the City of Washington this 26<sup>th</sup> day of July, 1937

[SEAL]

(Signed) M. L. WILSON  
*Acting Secretary of Agriculture.*

AND WHEREAS upon consideration it appears that approval of the foregoing regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

Approval and proclamation.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this thirtieth day of July, in the year of our Lord Nineteen hundred and thirty-seven, and  
[SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

### CAPITOL REEF NATIONAL MONUMENT—UTAH

August 2, 1937

[No. 2246]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Capitol Reef National Monument, Utah.  
Preamble.

WHEREAS certain public lands in the State of Utah contain narrow canyons displaying evidence of ancient sand dune deposits of unusual scientific value, and have situated thereon various other objects of geological and scientific interest; and

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Capitol Reef National Monument:

National monument set apart.

34 Stat. 225.  
16 U. S. C. § 431.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 9, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Capitol Reef National Monument:

Description.

### SALT LAKE MERIDIAN

- T. 28 S., R. 5 E.,  
All of sec. 34 north of the right-of-way of State Hwy. No. 24;  
secs. 35 and 36.
- T. 28 S., R. 6 E.,  
sec. 31 and the west half of sec. 32.
- T. 29 S., R. 5 E.,  
All of secs. 1 and 2 north of the right-of-way of State Hwy. No. 24.
- T. 29 S., R. 6 E.,  
secs. 1 to 4, inclusive;  
All secs. 5, 6, 8 and 9 north of the right-of-way of State Hwy. No. 24;  
secs. 10 to 15, inclusive;  
All of sec. 16 north of the right-of-way of State Hwy. No. 24;  
secs. 22 to 25, inclusive;  
sec. 26, E½ and N½NW¼;  
sec. 27, N½N½;  
sec. 35, NE¼;  
sec. 36.

T. 30 S., R. 6 E.,

sec. 1;

sec. 12, E½.

T. 29 S., R. 7 E.,

secs. 5 to 8, 17 to 20 and 29 to 32, incl.

T. 30 S., R. 7 E.,

secs. 4 to 9 and 15 to 17, incl.;

sec. 18, E½ and NW¼;

sec. 19, NE¼ and N½SE¼;

sec. 20, N½ and N½SW¼;

secs. 21 to 23, and 26 to 28 incl.;

sec. 29, E½E½;

secs. 33 to 35, inclusive, containing approximately 37,060 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

Supervision.

39 Stat. 535.  
16 U. S. C. §§ 1, 2.

Nothing herein shall prevent the movement of livestock across the lands included in this monument under such regulations as may be prescribed by the Secretary of the Interior and upon driveways to be specially designated by said Secretary.

Livestock driveways.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2<sup>d</sup> day of August, in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President

CORDELL HULL

*Secretary of State.*

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